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FACTION Display'd: OR, A SHORT HISTORY OF THE

Second PARLIAMENT of Great Britain
Called in the Year 1710,
Upon the Change of the MINISTRY;
CONTAINING,

Among many other Curious ARTICLES,

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| <p>I. Some Observations on the present State of Affairs at Home; with the Motives that prevail'd on the Queen to change her Ministry.</p> <p>II. Mr. <i>Walpole's</i> Speech at the Bar of the House of Lords, upon Dr. <i>Sacheverel's</i> Trial.</p> <p>III. A Piece intitled, <i>Fair Warning</i>.</p> <p>IV. Dr. <i>Sacheverel's</i> Cavalcade-Way of Travelling.</p> <p>V. The Parliament's Proceedings against the following illustrious Persons; viz. the Duke of <i>Marlborough</i>, the Earl of <i>Godolphin</i>, the Ld. Viscount <i>Trentham</i>, the Earl of <i>Galway</i>, the Bishop of <i>St. Asaph</i>, <i>Robert Walpole</i>, Esq; and the then late Ministry in general, which gain'd them the Title of, <i>The Conspiring Parliament</i>.</p> <p>VI. Mr. <i>Hampden's</i> Speech (never</p> | <p>before publish'd) in the House of Commons, <i>March 6, 1712</i>, on Mr. <i>Walpole's</i> being deny'd his Seat in Parliament upon his Re-election.</p> <p>VII. An Account of the Steps taken in order to destroy the Liberty of the Press, and introduce the Pretender.</p> <p>VIII. The Fate of the French Bill of Commerce.</p> <p>IX. Of the Duke of <i>Marlborough's</i> Disgrace.</p> <p>X. Verses addressed to the Earl of <i>Galway</i>, and the Dukes of <i>Marlborough</i> and <i>Ormond</i>, on different Occasions.</p> <p>XI. The French Ambassador's Compliment to the Queen, upon the Conclusion of the Peace at <i>Utrecht</i>, and the famous <i>Dutch</i> Ambassador's speech to the French King.</p> |
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Venalis Populus, venalis Curia Patrum,

L O N D O N :

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M DCC XXXIX.

FACTORY
OR
HIS ROYAL
HIGHNESS
THE PRINCE OF WALES
BY
J. H. COOPER
OF THE
FIRM OF
J. H. COOPER & CO.
LONDON

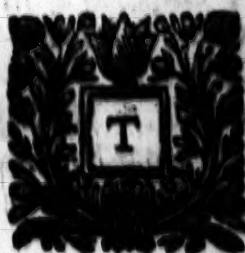


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F A C T I O N

D I S P L A Y ' D.



HERE are are now a Set of Men, who follow the Steps taken in the four last Years of the late *Queen Anne*, tho' (Thanks be to God) they have not the same Authority to hunt down, those who have been, and are zealous for promoting and maintaining the Protestant Succession, in his Majesty's Royal House.

It's no Wonder the present Noble Person at the Head of the Administration, is weekly attack'd by all the Artillery from a certain Party, when it's remembred, that *Robert Walpole*, Esq; early appear'd in the Cause of Liberty, and the Principles that brought about the Revolution, a Crime, in the Opinion of some particular Persons, never to be forgiven.

On the other Hand, some Persons who were heretofore firm for those who were the chief Instruments in bringing about the Revolution, have of late, thro' Artifices and Lies been unwarily drawn in to countenance their avow'd Enemies, seeming thereby to have forgot their former Principles. I shall, in order to refresh those Gentlemens Memories; in the ensuing Pages, mention the Treatment, Mr. *Walpole* and other true Patriots, met with from the *Tory* Ministry, the latter Part of the Reign of the late *Queen Anne*. ——— Experience has fully convinced the con-

considerate Part of Mankind, that, let some Persons assume what new Names they will, their Actions shew their Principles are the same, and that they still continue inveterate Enemies to the Revolution, and to those who either declared for it, or were concerned in making that glorious Stand.

Mr. *Walpole*, was bred at *Cambridge*, in the same College with Mr. *St. John*; he sat in the first Parliament of *Great Britain* (being elected one of the Members for *Lynn Regis*) where he was soon distinguished, not only for the Soundness of his Judgment, but for his Attachment to the true Interest of his Country, and to those in the Ministry that were embarked in the same Cause, particularly the Duke of *Marlborough*, the Lord *Godolphin*, and other noble Personages. — *Boyer*, when he first speaks of Mr. *Walpole*, in his History of Queen *Anne*, observes, “ that he was “ a Gentleman of quick Parts and masterly Elo-
“ quence.”

Mr. *Henry St. John*, his Fellow Collegian, was early elected Member of Parliament; he soon took quite other Measures from Mr. *Walpole*, seeming to vye with him in the House of Commons. In fact, Mr. *St. John* was as much distinguished, for opposing those concern'd in the Revolution, as the former was for supporting them.

At first Mr. *St. John* obtain'd the Office of Secretary at War, and that of the Marines; but before the End of the Year 1708, he resign'd them both upon Account of Mr. *Harley*, who was then Secretary of State, and had, in Concert with Mrs. *Masbam*, endeavoured to supplant the Duke of *Marlborough*, and the Earl of *Godolphin*; which those two Noblemen being inform'd of, waited on her Majesty, and acquainted her therewith. In the End, they insisted, that either Mr. *Harley* should be turned out of his Place, or they would lay down theirs; Mr. *Harley* was, at length, prevailed on to resign; as did also, *Harcourt*, the Attorney-General, and *Mansel*, the Comptroller of the Household. — Mr. *St. John* was succeeded in his Post
of

of Secretary at War by *Robert Walpole, Esq;* and in that of the Marines, by *Josiah Burchet, Esq;*

In February, 1709. the famous Trial of Dr. *Sacheverell* came on; when Mr. *Walpole* was nominated one of the Managers for the House of Commons. Without entering into a Detail of the Proceedings on the Tryal, I shall only take Notice, — that Mr. *Walpole* made a celebrated Speech, at the Bar of the House of Lords, on that solemn Occasion; the Purport of which is as follows.

My Lords,

‘ I doubt not but your Lordships have observed,
 ‘ how injurious the Doctrines now in Question may
 ‘ be to the Kingdom; and how loudly they call for
 ‘ your Lordships Justice; when mercenary Scriblers
 ‘ are employ’d by a Party to vent their Malice, it
 ‘ may be fit to leave them to the Course of com-
 ‘ mon Justice: But when the Trumpet is sounded
 ‘ in *Sion*, when the Pulpit gives the *Alarm*, when
 ‘ these *Bitter and Poisonous Pills*, are gilded over
 ‘ with the specious Name of Loyalty, and People are
 ‘ brought to swallow them up, for their — *Souls*
 ‘ and *Conscience’s sake*, the Commons, cannot but
 ‘ think it high Time to put a Stop to this growing
 ‘ Evil; and they cannot apprehend, but that the just
 ‘ Resentment they have shewn, on this Occasion, will
 ‘ meet with Applause from all those that are sincere
 ‘ Friends to her Majesty, her Government, and
 ‘ to the Protestant Succession, as it is established by
 ‘ Law; and therefore, I do not wonder to see her
 ‘ Enemies concerned at this Trial. The very Being
 ‘ of our present Government, is the *Resistance* that
 ‘ was necessarily used at the *Revolution*; and ’tis a
 ‘ most surprising Assurance, that, whilst the Enemies
 ‘ of our State, are striking at the Root of *All*, they
 ‘ should be able to pass themselves upon the World
 ‘ for Friends to either. To recommend themselves
 ‘ to the Queen, they find fault with that *Revolution*,
 ‘ without which she would never have been a Queen;
 ‘ and we the most miserable of People. If Resistance
 ‘ be

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' be in no Way safe to be allow'd, then all the great
' Privileges enacted in the Petition of Rights, are
' most Pretences: Resistance is no where enacted to
' be Legal, but subject to all Laws in being, under
' the highest Penalties. The Doctrine of unlimited
' passive Obedience, is calculated for absolute Power;
' but it cannot be an Advantage, or Security to her
' Majesty, who neither wants nor desires in What
' can the Meaning of this Attempt be, but to pre-
' pare the People to be ready to embrace a Govern-
' ment in which it's like to be expected from them?"

This Speech fully discovers the Sentiments of this great Man, and the Principles on which he then acted—strong Evidence of his Affection for the Laws and Liberty of his Country. In short, Mr. Walpole so well distinguished himself on that memorable Trial, that Sir Thomas Littleton, Treasurer of the Navy, dying about the End of the Year 1709, or rather the Beginning of the ensuing Year, this Place, for some Time, lay vacant, and at last was given to Mr. Walpole, as a Part of the Reward for his past Services. On his Promotion, he resigned the Post of Secretary at War, which was bestowed on Adam Carboneil, Esq;

From the Queen's Accession to the Throne, to the Time Dr. Sacheverell's Doctrine was propagated, all Affairs flourished both at Home and Abroad.

But our Happiness was too great to be long-liv'd; for before the End of the Year 1710. Mr. Robert Harley, by the Means of Mrs. Masham, visibly gained ground with the Queen; and shortly after became greatly in Favour at Court. In the mean time, Dr. Sacheverell's Doctrines, and the Proceedings against him, were by some particular Persons, so artfully represented, that the Nation was put into a Ferment; there were not wanting a Set of Men to improve the Opportunity, who, under Pretence of supporting the Church from imminent Danger, divided the Kingdom into Parties, which gave Rise to many

many Disorders ; infomuch, that Addreffes from all Parts of the Kingdom (but of different Import) were prefented to the Queen testifying their Abhorrence of the late Tranfactions.

The Tory Addreffes not only exceeded the Whigs in Number, but were alfo far better received, as complimenting the Queen with a more extenfive Prerogative. The Queen, now fully difcovered her Intention, to make great Alterations in her Miniftry, which ſhe ſoon after put in Execution ; and, finally, removed from all Places of Truſt, thoſe who had been moſt Zealous in the Cauſe of the Revolution, and that of the Liberties of Europe.

Upon this Oceaſion, the following Lines were handed about, under the Title of

F A I R W A R N I N G.

M Adam, look out, your Title is arraign'd ;
 Sacheverell ſaps, the Ground whereon you ſtand.
 'Tis Revolution that upholds your Throne,
 Let Non-Resistance thrive, and you're undone.
 If paſſive Doctrines boldly are reviv'd,
 Your Crown's precarious, and your Reign ſhort-liv'd.
 Such Notions, with Impunity profeſt,
 Will make the Power of Parliaments a Jeſt.
 Their Acts of Settlement are Ropes of Sand ;
 And Hanover may rule his native Land.
 When Pulpits ſound no Limitations good ;
 No Right, but in Proximity of Blood ;
 Who ſees not the Pretender's underſtood ?
 Impatient for their darling Chevalier ;
 You're in their Mercy, for another Year :
 Though Loyalty and Church are their Pretence ;
 Inherent Birth-right is their ſecret Senſe ;
 And Reſtoration is the Conſequence.

The firſt Step that was taken to change the Miniftry was the removing the Marqueſs of Kent, from the Office of Lord Great Chamberlain ; but, to make him

him some Amends, the Queen was pleas'd to create him a Duke. The Duke of *Sbrewsbury* through the Means of Mr. *Harley* and Mrs. *Masbam*, obtain'd the Marquess's Post.

No sooner was the Staff and Key delivered to *Sbrewsbury*, but in Return for the Favour done him by Mr. *Harley* and Mrs. *Masbam*, he assist'd all he could to dispose the Queen, to make further Alterations. The High-Church Party were now countenanced, in Private by the Favourite Mrs. *Masbam*, and in Publick by the Duke of *Sbrewsbury*. The Queen, at the same Time discovered that she had taken a Disgust, against the Duke and Dutches of *Marlborough*, and several of their Relations; this Dislike of the Queen's her now Favourites took great care to cherish and improve.

The High-Church Party were wonderfully pleas'd and elate, at the promising Prospect of the Removal of the Ministry; and 'twas even said, that the Duke of *Beaufort* should, upon the Occasion, declare, when he was introduced to her Majesty, "That he was extremely glad he could now salute her Queen." The Queen was, at last, prevail'd on thro' what was urg'd, by the Duke of *Sbrewsbury*, and Mr. *Harley*, aided with the Assistance of Mrs. *Masbam* (behind the Curtain) to go on in the Change of the Ministry.

That being done, her Majesty was pleas'd to remove the Earl of *Sunderland* from his Post, which was look'd upon as a Step to come at the Lord Treasurer, which soon took Place; for on the 9th of *August*, the Queen sent the Duke of *Somerset* to demand the Earl of *Godolphin*'s Staff, which was no sooner deliver'd up, but Commissioners were appointed, for the Present, to execute the Office of Lord High Treasurer.

The Queen was pleas'd, in the next Place, to nominate *Robert Harley*, Esq; Chancellor of the Exchequer, in the Room of Mr. *Smith*, whom she made one of the Tellers; and, on the 13th of *August*, Mr. *Harley*

Harley was sworn one of the Queen's Privy Council. After the Removal of the Lord Treasurer, and the Earl of *Sunderland*, the Court paus'd a while, to consider whether they should keep in some Members of the old Ministry, or proceed to remove them.

The New Favourites had heard the Queen declare, that she was intirely satisfied with the Lord Chancellor *Cowper's* Service, and that she designed to continue him in his Post, owing to his having upon all perplext and intricate Affairs, found the Way to make her easy; as therefore they were informed, that his Lordship intended to resign the Seals, and knowing that her Majesty would not part with so great a Minister without great Reluctance, they signified to his Lordship her Majesty's gracious Intention, and accompanied it with many Arguments on their own Parts, in order to prevall on him to change his Mind; his Lordship, in Return thank'd her Majesty for this Mark of her Favour; but he persisted in his Design of quitting the Seals.

The Favourites finding that nothing could be done with the Lord *Cowper*, they came to a sudden Resolution, to solicit the Queen not only to remove all the other old Ministers, but call a new Parliament; in both which they succeeded.

On the 21st of *September* her Majesty ordered a Proclamation to issue, for Dissolving the Parliament; and calling a new One, which was accordingly done; and on the 23d of *September* the Lord Chancellor *Cowper* resigned the Seals, which at first were put into Commission, and then committed to Sir *Simon Harcourt*, with the Title of Lord Keeper, at last he was created a Peer, and constituted Lord High Chancellor of *Great Britain*.

The Day the Proclamation issued for calling a new Parliament, the Earl of *Rocheſter* was declared President of the Council, in the Room of the Lord *Somers*; the Duke of *Buckingham* Lord Steward, in the Room of the Duke of *Devonshire*; *Henry* Sr. *John*, Secretary of State, in the Room of the Honourable Mr. *Boyle*; *Robert Raymond*, Esq; Solicitor

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FACITIO N Display
Solicitor General, in the place of *Robert Eyre*, Esq; then lately made a Judge; *George Granville*, Esq; was appointed Secretary at War; and *Robert Manly*, Esq; constituted Surveyor General; and, to the great Surprize of many wealthy Citizens, *Arthur Moore*, Esq; (a Person of mean Capacity and Extraction) was appointed one of the Lords Commissioners of Trade and Plantations; and what was still more extraordinary, the Duke of *Hamilton* was brought into Play, and made Lord Lieutenant of the County Palatine of *Lancaster*; before the End of *October*, the Duke of *Ormond* was declared Lord Lieutenant of *Ireland*, in the Room of the Earl of *Wharton*; and Sir *Edward Northey* made Attorney General; Dr. *Robinson*, (a Creature of Mr. *Harley's*) was promoted to the See of *Bristol*, as was Dr. *Bull*, to that of *St. David's*.

By this Time, the Elections for Parliament Men were over in several Places, whereby it visibly appeared, a Majority was on the Side of the New Ministry, the *Tories* boasted that none of the Managers against Doctor *Sacheverel*, shou'd be Elected; for that End they used their utmost Endeavours to prevent their Elections; yet they were mistaken, for *Robert Walpole*, Esq; and four others, were returned.

Dr. *Sacheverel* was now become the Darling of the Mob; besides he was greatly in Favour with the new Ministry. Under Pretence of taking Possession of a Living, he went into the Country, where he made a triumphant Entry into several Places; he was received by some Persons with so much Pomp and Grandeur, that Posterity will with Difficulty be persuaded to believe it, considering the Man; at last he was stopt in his Career by Means of the Bishop of *Worcester*; he intended to have entered that City in the same pompous Manner, as he had before done in other Places; the Bishop being informed of the Doctor's Design, was pleased expressly to forbid, not only the Clergy of *Worcester*, but his Diocese in general not to pay him any Respect, which they punctually obeyed. The Disgrace the Doctor met with at *Worcester*, broke all his Measures, and put an End to his Cavalcade

Cavalcade Way of travelling to the no small Mortification of the Doctor and his Party.

During the Doctor's Progress, the Dukes of *Beaufort* and *Hamilton* were sworn of her Majesty's Privy Council; the Earl of *Hertford* was constituted Governor of *Tinmouth* Fort, and *Conyers Darcy*, Esq; made Gentleman of the Horse to the Queen, in the Room of General *Meredith*; this last Gentleman with two other Generals, were suspended, and ordered to sell their Regiments, upon an Allegation, that, in their Cups, they had drank Damnation and Confusion to the new Ministry, and to those who had any Hand in turning out the Old.

Sir *James Wifhart*, and *George Clarke*, Esq; were appointed Lords of the Admiralty, in the Room of Mr. *Metbuen*, and Mr. *Doddington*; the Earl of *Abington*, Chief Justice, and Justice in Eyre of all her Majesty's Forests, &c. on the South Side of *Trent*, in the Room of the Earl of *Wharton*; and not many Days after, her Majesty conferred the Honour of Knighthood on *Constantine Phipps*, Esq; one of Dr. *Sacbeverel's* Council, and appointed him Lord Chancellor of *Ireland*.

While these surprizing Changes and Alterations happened in *England*, the Duke of *Marlborough* was employed in *Flanders*, at the Head of a victorious Army. I shall only here barely take Notice, that when he returned to *England*, which was on the 26th of *December*, he found the Face of Affairs there greatly altered in his Absence. However, upon his Arrival at *St. James's* he waited on the Queen, who gave him a very gracious Reception, and discoursed with him about half an Hour; after which his Grace went to his Apartment. As there had been a Difference between the Duke of *Marlborough* and Mr. *Harley* (who had now the greatest Share in the Queen's Confidence, and in the Management of Affairs) her Majesty took care to reconcile them in her Presence; the next Morning after his Grace's Arrival at Court, he assisted at a Committee of Council, where Mr. *Harley* likewise attended, that Day, and the Day following, the Duke received the Visits of the

the new Ministry. Yet, to give him a Taste of the Treatment he was shortly to receive, some scurrilous Pamphlets were published, tending to reflect on him; yet the Duke was determin'd not to lay down his Command, having promised no less to the States General, and Prince *Eugene*, at his parting with them.

The Duke being thus determin'd, like an old Courtier and consummate Politician, resolv'd to conceal his private Resentment, by concerting Measures with the new Ministry, (tho' not with the same Confidence as he had before done with the old) wisely considering, that thereby, he preserv'd his Interest at Home.

The Beginning of the Year 1711, his Grace made a free Resignation of his Dutchess's Place at Court, by delivering into the Queen's Hands, the Key of Groom of the Stole; which was so acceptable to her Majesty, that she was pleas'd not only to renew his Commission; but likewise to make the Duke easy in his Command, by a Disposition of the other Genevals: As there was a Pique subsisting between his Grace and the Duke of *Argyle*, the Queen made the latter her Embassador to King *Charles*, and Commander in Chief of her Forces in *Spain*.

Tho' all Affairs in *Flanders* succeeded well under the Duke of *Marlborough*, the same Success did not attend our Armies in *Spain* the last Year; for there we lost the fatal Battle of *Almanza*.

Having thus cursorily mentioned the Steps taken in *England*, both in Respect to the changing the Ministry, and calling a new Parliament, let us now attend the Opening the first Session of a Parliament, who by their very extraordinary Proceedings, have made themselves famous to all Posterity.

The Parliament met on the 25th of *November*, chose Mr. *Bromley* their Speaker; and immediately, after the Queen had made her Speech, they proceeded to Business.

The Spirit for Censuring was soon discovered in the House of Commons; * *William Thompson*, Esq; well known to be a Stickler for the late Ministry, and one of the Managers in the last Parliament, against Dr. *Sache-*

* The present Mr. *Baron Thompson*.

Sacheverell, petitioned the House against *Sir William Barker*, elected for *Ipswich*, which was referred to a Committee; *Mr. Freeman*, their Chairman, on the 10th of *February*, made his Report, and thereby certified, 'that *Sir William Barker*, Barr. was duly elected a Burgess for the Borough of *Ipswich*; and that the Petition of *William Thompson*, Esq; was frivolous and vexatious;' upon which warm Debates arose; at last the House agreed to the Resolution of the Committee; and withal ordered, that *Mr. Thompson* should make Satisfaction to *Sir William Barker*, for the Cost and Expence that he had been put to.— This Resolution of the House was a Specimen of the Treatment the late Ministry was to expect, when any Matter relating to their former Proceedings came before the Commons. During the Time the Committee was employed in Relation to the *Ipswich* Election, the House was busy in finding out Ways and Means for raising the Supply for the current Year; in the mean Time the Lords were making a strict Enquiry into the Cause of the Miscarriage at *Almanza*, which ended in censuring the Earl of *Galway's* Conduct, and thanking the Earl of *Peterborough* for the good Services done his Country in those Parts.

But to alleviate, in some Measure, the Disgrace fix'd on the Earl of *Galway* by the House of Lords, a Poem was published, and addressed to him; in which were the following Lines:

REPINE not, Sir, at Fortune's partial Laws,
Who often frowns, upon the juster Cause;
The Laurel-wreath, with like deserv'd Renown,
May both the Victor, and the Vanquish'd crown;
Nor mourn the swift Vicissitudes of Fate;
That Name should teach you, what attends the Great.
Successful Acts depend not on the Will,
And Virtue, tho' 'tis cross'd, is Virtue still.

Think on Rome's Eagles, by *Marcellus* led,
Think on the *Fabii*, and *Emilius* dead,
Who, to their Country, sacrificing All,
Rose by Defeat, and triumph'd in their Fall.
Will not Great *William's* Fame, out-last the Sun?
And has not *Luxemburg* a Battle won?

Churchill,

Churchill, 'tis own'd, ne'er yielded to a *Foe*,
But Pompey was o'ercome, and *Cæsar* too.
Apply, Great Sir, these just Examples Home;
Britain can ne'er be more ingrate than *Rome*.

Fate's dark Decrees, did that black Day ordain,
That *Wrong* should triumph, and *Oppression* reign;
Yet *Galway* long, 'gainst *Numbers* kept the Field,
Numbers by *Mars* led on, by *Jove* upheld;
With *Fury*, so heroically Great,
Repell'd the *Torrent*, and disputed *Fate*;
So well, the Chief, and Soldier did maintain,
That *Victory* was partial, long in vain;
The Gods suspected much their own Decree,
And *Fate* grew doubtful of her *Destiny*.

Thy honest Wounds will testify thy *Fame*,
And show, tho' Fortune waver, thou'rt still the same.
Wounds deck the Hero, with distinguish'd *Grace*,
And write the best *Encomium*, in his *Face*;
From those red Monuments of *Fame* we're taught,
To think of nothing, but how *Galway* fought.
We view no more *Almanza* with *Regret*,
But in his Deeds, our Country's Loss forget.

After the Commons had voted the necessary Supplies for the current Year, and found out Ways and Means to raise them, they then proceeded to make an Inquiry into the Abuses committed in the Navy; and, among others, they voted Mr. *Ridge*, one of their own Members, guilty of very great Frauds, in Respect to the Furnishing Beer for the Fleet; then they expelled him the House, and withal ordered an Address to be presented to her Majesty, that she would be pleased to give Directions to her Attorney General, to prosecute him at Law for the Offence they had voted him guilty of: After these Resolutions, they next proceeded to draw up a long Representation to her Majesty, of supposed Abuses and Misapplications of the Publick Revenue, during the late Ministry; and this they laid before the Queen: They also passed a Bill, which afterwards received the Royal Assent, for constituting certain Commissioners for stating the Publick Accompts of the Kingdom; this Act was passed, in order to give a Sanction for

for searching into former Transactions, and thereby furnish the new Ministry with Pretences for procuring Parliamentary Censures upon several Noblemen and Gentlemen that were very considerable during the late Ministry; the Commissioners were not unacquainted with what was expected from them, and therefore they regulated their Conduct accordingly, as will be presently seen.

Mr. *Walpole*, during this Session, was as ready to justify the late Ministry, as some particular Members were in reflecting on them; he became, thro' his bright Parts and bold Spirit, every Day more and more considerable in the House; insomuch that he was a very great Eye-Sore to some of the leading Men in Power, and in order to take a present Revenge on him, he was removed from his Post of Treasurer of the Navy, which was given to *Charles Caesar*, Esq; a Gentleman in great Favour with the New Ministry.

Both Houses continued Sitting till the 12th of *June*; that Day the Queen came to the House of Lords, and after passing such Acts as were ready for the Royal Assent, she made a Speech to both Houses, and then the Lord Keeper, by her Majesty's Command, prorogued the Parliament; which put an End to the first Session.

Among other Acts that received the Royal Assent on the 12th of *June*, was one, whereby it was made felony to attempt to take away the Life of a Privy Counsellor; the Reason for making this Law was occasioned by *Guiscard's* stabbing Mr. *Harley* with a Pen-knife, when he was under an Examination before a Committee of Council; Mr. *Harley* afterwards recovered. *Guiscard* was wounded in several Places, before they could master him; in the Conclusion he was sent to *Newgate*, where he soon died in a miserable Condition.

During the Sitting of the Parliament, it became necessary, in the Month of *April* 1711, for the Duke of *Marlborough* to repair to his Command in *Flanders*, but the Duke had the Mortification to see, before his Departure, scarce one of his Friends left in the Ministry; and to be farther satisfied, that the new Ministry would,

as soon as possible, conclude a Peace with *France*, upon any Terms; however, with these Disadvantages, he left *England*, and again took upon himself the Command of the Army. It is none of my Intention to enter into the Particulars of his Grace's Conduct, during the Campaign; save that the same good Fortune accompanied him as it had before done, during the whole Course of the War.

Yet, in *England*, all Sorts of Artifice were now used to depreciate the Duke's Reputation, and lessen the People's Esteem for him. Nor were the Ministry wanting in treating, not privately only, but publicly with Persons who were known to be in the *French* Interest, and before the End of the Year admitted Ministers from *France*, to treat of a separate Peace.

Mr. *Harley* was now at the Head of the Administration, while Mrs. *Masbam* directed all Affairs within Doors; on the 24th of *May*, *Harley* was created Earl of *Oxford* and *Mortimer*, and was also constituted Lord High Treasurer of *Great Britain*: Sometime after *St. John* was promoted to the Dignity of a Peer, by the Stile and Title of Lord Viscount *Bolingbroke*. The Duke of *Ormond*, on the 19th of *June*, set out for *Ireland*; upon his Arrival, the following Lines among others appeared in Print, addressed to him, which fully shews what Doctrines were then encouraged:

LONG did the Realm implore her Lord's Return,
And longer yet his Grand-fire's Absence mourn.

Joy to the Church, an Altar let her raise,
Grateful of *Vigo* Gold, while *Ormond's* Praise,
Join'd with the *Queen's*, like Incense, mounts the Skies
And Party-fends shall be the Sacrifice:

No more shall Faction dictate Britain's Doom,
And starve the Cause Abroad, to Bribe at Home;
Millions no more, for unpaid Fleets be spent,
And Fraud, like Schism, plead Establishment;
The War their Market, Peace their Foe profess'd,
The Bank their Idol, and the Church their Jest.

Ne'er shall the sputtering Tribe their Voices strain,
To stab the passive Ears of *Anne* again,
And Loyal Zeal in Treas'rous Cant arraign,

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To damn inherent Birth-right madly drive,
And only by Inherent Mercy live.

Resistance first against th' Almighty brought,
And down from Lucifer to H—d—y, taught;
Adjudg'd at length to Her congenial Hell,
By Phipps and Harcourt exorcis'd so well;
Like the foul Spirit in the Gospel sped,
And tearing the Possess'd, with noisy Jargon fled.
But Oh the Fate! to perfect Worth unkind;
To shew the Way but to be dropt behind,
To view the promis'd Land, and then to die,
Like Moses, Rochester, and Anglesey.

Hibernia, Albion mourns your Lover's gone,
Mourn as they mourn'd for you, but joy to own,
That this left a great Brother, that a Son.
Think too, O think, and in that Thought be bless'd,
How by present Miracles confess'd,
Your common Angel guarded Harley's Breast.
The same who barr'd the Stroke of Abr'am's Knife,
Or was he one who watch'd the Tree of Life?
That every faithful Heart, where fix'd like Fate,
Auspicious Anne thy sacred Image fate;
The glancing Wound refus'd to violate.
As Flames arising at the Virgin's Fane,
In Rêverence parted there, and clos'd again;
The breaking Weapon baulk'd the Russian's Will,
Like dying Greg's in vain design'd to kill;
But grac'd the Robes to Noble Oxford's due,
And from his Veins th' unborrowed Purple drew.

Henceforth the Years on healing Wings advance,
And that Illustrious Æra leads the Dance;
When Ireland's Fold, by various Ills undone,
O'er leap'd by Hirelings, and by Wolves o'er run;
Bless'd the true Shepherd entering at the Door,
And Anne's unblemish'd Hands restrain'd no more;
Began what David's were deny'd to do,
Shed hostile Blood, and build the Temple too.

The Compass of this Tract will not permit me to
speak at large of the different Steps taken in Ireland,
(during the Duke of Ormond's Administration there;)
in order to prevail on the Protestant Interest of that

King

Kingdom, to come into the Measures that were pursuing at Home; I shall only here observe, that the *Irish* House of Commons, always remarkable for their Zeal and Affection for the illustrious House of *Hanover*, did not forget to assert the Right of that Royal House; and this at a Time when it was almost a Crime to mention the *Hanover Succession*.

'Tis now Time to speak of the Proceedings of the Commissioners of the Publick Accompts. I was saying before, they knew what was expected from them by the Ministry, and their Actions have since shewn they did not deceive their Masters. In the Month of *October*, they were very busy in enquiring after the State of the Bread and Bread Waggon, provided for the Army; and also how the two and half *per Cent.* that was deducted out of the Pay of the Foreign Troops in her Majesty's Service was disposed of. This was done with a View to attack the Duke of *Marlborough*. His Grace being informed thereof, did, by a Letter addressed to these Commissioners (Dated at the *Hague* the 10th of *November*, 1711,) fully state the Points under their Enquiry; and withal answered every Objection. In the Conclusion of the Letter he told them, he had laid the whole matter fairly before them, 'and that he hoped they would allow, he had served his Queen and Country with Zeal and Faithfulness, as became an honest Man; and therefore he intreated them that they would, in their Report to the Parliament, set the Matter in a true Light'. All the Use the Commissioners made of this Letter was, to insert it in their Report, and then give it an ill-natur'd Turn; but it's a Pity to blame these Gentlemen, their Masters would have it so.

No sooner were these Transactions publickly known, but the Town was filled with Pamphlets and Libels against the Duke. His inveterate Enemies hoping thereby to cast a Blemish on his Immortal Fame, and to render him obnoxious both to the Queen and People; but though they fail'd of Success with the thinking Part of the Nation; for the

Present

Present, it hurt the Duke in the Queen's Opinion. He had not been long returned to *England*, before it was known, that his Grace was entirely out of Favour at Court.

On *Sunday* the 30th of *December*, the Queen being in Council, it was declared and entered in the Books, ' That her Majesty being informed, that an ' Information against the Duke of *Marlborough* was ' laid before the House of Commons, by the Com- ' missioners of the Publick Accompts, her Majesty ' thought fit to dismiss him from all his Employ- ' ments, that that Matter might take an Impartial ' Examination.—This Resolution was notified to the Duke; his Grace received it with Heroical Resignation, and wrote a dutiful Answer to her Majesty, which he sent by one of his Daughters.

By his Grace's Removal the Ministry were at Liberty to pursue their own Schemes; but that was not all, there soon appeared a new Swarm of Pamphlets and Libels against the Duke of *Marlborough*, and those concerned in the late Ministry; stufft with all the Bitterness and Malice that the Writers of a Party could invent. His Grace's Enemies in particular, eagerly laid hold on this Opportunity to insult over his Misfortunes. The Muses were call'd in to bear a Part in the Triumph of the Duke's Disgrace. One of the Authors of the *Examiner* did on that Occasion publish a Fable of the Widow and her Cat; the last Stanza follows.

*So flagrant is thy Insolence,
So vile thy breach of Trust is,
That longer with thee to dispence,
Were want of Power, or want of Sense.*

Here *Towzer* ——— do him Justice.

Notwithstanding the furious Proceedings of these Red-Hot Zealots there was not wanting on the other Side of the question; Gentlemen eminent in the Cause of Liberty, who wrote proper Replies to the Reflections cast on the Duke and the late Ministry, and which was done by solid Arguments where the Case required it; but where there appeared nothing to support

support their Assertions but the Language used at *Billingsgate*, they were treated with Contempt.

Now let us return and attend the farther Transactions of the Parliament: On the 11th of *December* the Queen came to the House of Lords, and opened the second Session with a Speech. On the 13th of *December* the House of Commons ordered the Commissioners for Stating the Publick Accompts, to lay before them a State of their Proceedings.

On the 21st of *December* Mr. *Lockart*, one of the Commissioners, came to the House, and informed the Commons, That the Commissioners in their Enquiry had discovered some Practices relating to the Army, under the Conduct of the Duke of *Marlborough*, which they thought necessary to lay before the House; the Commons ordered the Commissioners Report to be taken into Consideration on the 17th of *January* then next.

The Ministry at the opening of this Session were sadly disappointed in the House of Lords thro' the following Proceedings, *First*, the Lords, in their Address to the Queen, were of a different Opinion from the Commons, in respect to the Concluding a Peace with *France*. *Second*, the Queen had created the Duke of *Hamilton*, Duke of *Brandon* in *England*; but the Lords, after a solemn Hearing, refused to let him sit in the House in that Quality. The Ministry, to cure this great Evil, and to have a Majority on their Side, had Recourse to an extraordinary Method, they prevailed on the Queen to create a *Dozen* of Peers at once; such a Transaction was never heard of before, and with it ended the Year 1711.

Mr. *Walpole*, tho' he lost his Post, still made a considerable Figure in the House of Commons, which was very disagreeable to the Ministry, they heard with Pleasure, that the Commissioners of Accompts had, in their Enquiry touching the providing Forage for the Troops in *North-Britain*, during the time Mr. *Walpole* was Secretary at War, found out a Pretence to charge him with Breach of Trust, in respect to two Contracts that were made for

providing for those Troops; and this they gathered from one Mr. *Montgomery*; who, as they stated it in their Report, had given them the following Information upon Oath.

‘ That he (*Montgomery*) gave Mr. *Walpole*, in 1709, a Bill, or Note for 500 *l.* payable to himself or Order, and delivered it with his own Hands, and that he paid the said Sum to Mr. *Mann*, who delivered him (*Montgomery*) the Note, with Mr. *Walpole*’s Receipt on the Back of it; and that he did the like for the second Year.

‘ Mr. *Montgomery*, the Informer, [further swore that Sir *Samuel Macclellan*, who made the first Contract with Mr. *Walpole*, in relation to the Forage, told him, when he was at *London*, and soon after upon his Death-bed at *Edinburgh*, that a Friend of Mr. *Walpole*’s was to be an equal Sharer in the Contract; and also, that *John Campbell*, and Colonel *Douglass*, directed him to pay the 500 Guineas to Mr. *Walpole*; and that he paid the 500 Guineas to Mr. *Mann*, who delivered him the Note, with Mr. *Walpole*’s Receipt on the Back of it.

But to speak somewhat of this Matter, before, we enter upon the Evidence offered on Mr. *Walpole*’s Behalf; it appears that the Contracts were made upon Account of some *English* Dragoons marching into *Scotland*, which, by the Laws of that Country, could not be Quarter’d according to the Method prescribed by the Laws of *England*; on which Occasion the Duke of *Queensberry*, the Earls of *Marr*, *Loudon*, and *Seafeld*, and other *Scotch* Lords, that were of the Queen’s most honourable Privy Council, were ordered to meet and consider of the most proper Way to provide Forage for those Forces, they summoned to their Assistance all the *Scotch* Officers of Dragoons then in *London*, their Lordships after considering of the Matter referred to them, gave their Opinion to her Majesty, that the most proper and practical Method of providing the Forage, was to make Contracts with Commissaries of Forage, as had been usually practised in *Scotland* before

before the Union; and withal they recommended Sir Samuel Maclellan, Lord Provost of Edinburgh, who had frequently been employ'd in this Service, as a proper Person to be treated with.

Sir Samuel's Proposals were referred to Lieutenant General Erle, Mr. How, Paymaster General to her Majesty's Forces, and Mr. Walpole, who met several Times to consider of them; upoo this Occasion they on their Parts consulted all the Scotch Officers in Town; at last the Prices of nine Pence, and three Pence halfpenny for dry and green Forage for each twenty four Hours were judged Reasonable, and agreed to accordingly, by Mr. Erle, Mr. How, and Mr. Walpole, who were jointly and equally concerned with Mr. Walpole, in settling and agreeing the Prices; although the Contract was afterwards prepared and executed by him, *Virtute Officii*, as Secretary at War; and this Mr. Erle, did declare, in the house of Commons, at the Time when the Matter was under Consideration.

As the making the Contract, and agreeing for the Prices and Conditions, was not solely left to Mr. Walpole, so he proved beyond Contradiction, that the Bargain was upon all Accounts, made upon as advantageous Terms for the Publeek as possibly could be had; and this was made appear, by comparing the present Contract with the former Contracts made before the Union.

Having thus far taken Notice of the Occasion that gave Rise to the Contracts, and the Method of agreeing them I shall here speak of the Steps taken by Mr. Walpole in order to clear himself before the Commissioners, but they used him in the same manner as they had before done the Duke of Marlborough, which probably he expected; be that as it will Mr. Walpole attended the Commissioners with Mr. Mann, who made an Affidavit on the 14th of Jan. 1711-12. to the effect following.

That he (Mr. Mann) was, by the Recommendation of Mr. Walpole, the then Secretary at War, admitted and taken into a Share, or Partnership of a Contract

Contract, made in the Year 1709, for furnishing green and dry Forage to the Troops in *North Britain*, by Sir *Samuel Maclellan*, and others; and that by an Agreement betwixt him and Sir *Samuel Maclellan*, he was to be a Sharer in his Undertaking, at equal Profit or Loss as should arise or happen in performing the Contract, together with such other Partners as should be taken into the Contract, by Sir *Samuel Maclellan*, upon his Arrival in *Scotland*.

That about twelve Months after, Mr. *Walpole* gave him a Note for 500 Guineas, sign'd by Mr. *Montgomery*, which Mr. *Walpole* told him had been left with him for this Deponent, by the Contractors for Forage in *North Britain*; which Note being made payable to Mr. *Walpole*, or Order, Mr. *Walpole* did Endorse the Note with his own Name, upon Delivery of it to Deponent.

That he has received the Money due by the said Note from Mr. *Montgomery*, at several Times, for which he gave his own Receipts, and in his own Name, at the several Times of Payments, which Receipts, at the Payment of the last Sum were cancelled, and a Discharge, or Receipt in full was wrote on the Back of Mr. *Montgomery's* Note, over Mr. *Walpole's* Name, that was before only a Blank Endorsement, which was done upon closing the Account betwixt Mr. *Montgomery* and this Deponent, as is usual on the like Occasions.

That upon the second Contract, for the Year 1710, Mr. *Mann* further deposed, he received a Note of Mr. *Montgomery's* for 500^l. That this said Note is likewise made Payable to Mr. *Walpole*, or Order; and that he has received the greatest Part of the Money due thereon, although the same is not endorsed by Mr. *Walpole*; and that Mr. *Montgomery* has paid this Money upon Receipts given in the Name and for the Use of himself, upon distinct and different Papers, and not entered upon the Note which is made payable to Mr. *Walpole*, or Order; but not endorsed by him, or assigned to the Use of any Person. Mr. *Mann* farther declared

declared upon his Oath, That the several Sums received by him from the said Mr. *Montgomery*, upon the two Notes for 500 Guineas and 500 l. were received by him for his own Use and Benefit, and that he has not paid the said Sums, nor any Part thereof, to Mr. *Walpole*, nor accounted for them, nor is under any Obligation or Agreement to pay or account for the same, or any Part of them, to any Person whatsoever; but that the same does, and was to remain to his own Sole Benefit and Advantage.

Mr. *Mann*, at the same Time, voluntarily offered to be examined before the Commissioners, which was accordingly done, the Substance thereof follows, according as the Commissioners relate it.

They say, Mr. *Mann* deposed, ——— That hearing a Contract was to be made for Forage for the Troops in *North Britain*, he applied in the Summer 1709. to Mr. *Walpole*, then Secretary at War, to be concerned therein; but does not know that Mr. *Walpole* recommended him by Name, not being present. That he afterwards met Sir *Samuel Maccellan* at the War-Office; and being made known to him by Mr. *Taylor*, Mr. *Walpole's* Clerk, went with him to a Tavern. That this was the only Time he was in his Company, and no Witnesses were present. That he then pressed Sir *Samuel* to let him know what Share he was to have in the Contract, and who were to be his Partners. Sir *Samuel* said, he could not tell him then; but that he should have a Share liable to Profit or Loss; but did not know how many would be concerned till he was in *Scotland*, and then he would send to him, but he never heard from him. That he further desired to know what Money he must advance on Account of the Contract; and Sir *Samuel* answered, *What need you be so inquisitive, since you shall benefit by it?* He further deposes, That he did not know who were the other Contractors, till this Matter came in Dispute. That he never responded

‘ sponded with Sir *Samuel*, or any other of the Contractors, or ever had any Discourse with them, or
 ‘ or ever meddled with the Management, nor ever
 ‘ saw any of the Accompts relating to this Contract.
 ‘ That he received the Note for the 500 Guineas
 ‘ from Mr. *Walpole*. That he was very cautious
 ‘ when in Mr. *Montgomery*’s Company, and never
 ‘ said a Word of the Contract to him, when he received the Money from him. That he never advanced any Money on Account of the Contract,
 ‘ and never was required by the Contractors so to do.
 ‘ That no Body spoke to him to be concerned in the second Contract; but that he only desired Mr. *Walpole* to think of him again. That he never had
 ‘ any Discourse with any other Person, in Relation to it, and did not know that he was concerned in the second Contract, till he received the second
 ‘ Note, dated in *August*, 1713. from Mr. *Walpole*, to whom it was made payable. He further deposed; That he is related to Mr. *Walpole*, has received his Rents, and transacted Business for him a great while. That he prepared an Affidavit, in
 ‘ Order to produce before the Commissioners of publick Accompts, which Mr. *Walpole*, and his Clerk, afterwards reduced into the Form in which he presented it.’

Thus stood Mr. *Walpole*’s reply to *Montgomery*’s Charge, according to the Commissioners Report.

On the 17th of *January* the Parliament met; about Noon Mr. Secretary *St. John* delivered to the Commons a Message from the Queen in Writing; and, among other Matters, her Majesty declared,

‘ That she found it necessary to observe, how great License was taken, in Publishing false and scandalous Libels, such as were a Reproach to any Government; and that the Evil seeming to be
 D grown

grown too strong for the Laws now in Force,
 she therefore recommended to them, to find a
 Remedy equal to the Mischief.

After reading of this Message, the Commons readily voted an Address of Thanks; wherein they assured her Majesty, that they would take the most effectual Course to put a Stop to the Publishing those false and seditious Libels, which had exposed her Majesty's Government to Danger and Reproach.

This done, Mr. Lockart, acquainted the House, That Mr. Walpole had, the Monday before, brought Mr. Mann to the Commissioners for taking, examining and stating the publick Accompts, with an Affidavit ready prepared, and desired he might be sworn to it; that the Commissioners had sworn him at Mr. Walpole's Request, and afterwards examined him themselves, and took his Answer in Writing; and that the Commissioners had directed him (Mr. Lockart) to present to the House the Deposition of Mr. Robert Mann; and he presented the same to the House accordingly.

Then the Order of the Day was read, for taking into Consideration the Report of the said Commissioners of the 21st of December last: Whereupon the House proceeded to take into Consideration that Part of the said Report which relates to the Forage Contracts in North Britain, and the same was read, as was the second Deposition of Mr. Mann.

Mr. John Montgomery was called in and examined; and the two Notes mentioned in the Report, and several Receipts for Money paid, by Mr. Montgomery to Mr. Mann, were delivered in and read; and then he withdrew.

Mr. Walpole was heard in his Place, and then he withdrew.

F A C T I O N Display'd.

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Colonel *Douglass* (in further Support as to what Mr. *Walpole* had offered in his Defence,) made and subscribed the following Declaration in the House of Commons.

‘ UPON Sir *Samuel Maclellan's* Return from London to Scotland, he informed me, that Mr. *Walpole* had contracted with him, and *John Campbell*, for Foraging the Troops in North Britain, from the 14th of May, 1709. to the 14th of May, 1710. at nine Pence in the twenty four Hours, for dry Forage, and three Pence Half-penny for Grass; and that he had admitted Mr. *John Montgomery* for a Share; and that he had admitted a Gentleman in London, recommended to him by Mr. *Walpole*, for another Share; and had promised to admit Sir *Alexander Murray* for a fourth Share; and that he would take me in for a Share, if I pleased to accept it.

‘ About eight Months after Sir *Samuel Maclellan's* Death, at a Meeting with Mr. *Montgomery* on that Affair, it was agreed that 500 Guineas should be paid Mr. *Walpole's* Friend, for his Share in the Contract, and Sir *Samuel Maclellan* being Dead, and I not knowing the Person, nor at that Time remembring his Name, judged it most proper to have the Money made payable to Mr. *Walpole* or Order, for the Use of his Friend; and I always understood that, that Sharer was to bear equal Risque with the rest, in case any Loss should be; and I do think, that upon hearing the Name of Mr. *Mann*, I do recollect that to be Name of the Gentleman; that Sir *Samuel Maclellan* nam'd, as the Person recommended, to be a Sharer in the Contract; and I declare, that Sir *Samuel Maclellan*, never told me, nor directly, nor indirectly signified to me, that Mr. *Walpole* had, or was to receive any Sum of Money, or to have any Interest or Share in that Contract.

‘ And

‘ And I understand that the 200 Guineas paid to
 ‘ Sir *David Dalrimple*, was not upon his own Ac-
 ‘ count, but for the Use of Sir *Alexander Murray*;
 ‘ and I always understood that the 100 Guineas paid
 ‘ yearly for the Use of the Earl of *Leven*, was
 ‘ given in Consideration of Forage for his Forces,
 ‘ which the Undertaker always used to furnish to the
 ‘ Commander in Chief, or to give the Equivalent
 ‘ in Money. The 55 l. ordered to Mr. *Taylor*, was
 ‘ a Compliment to him upon his Leaving the Office,
 ‘ for his Trouble, and two Years Correspondence in
 ‘ answer’ing Mr. *Campbell’s* Letters, and doing other
 ‘ Business, relating to the Contract

‘ The 100 l. yearly given to Mr. *Merrill*, was
 ‘ for keeping and stating the Accounts, of the Forage
 ‘ Money; and I understood that the second Contract
 ‘ was upon the same Foot as the First, and for the
 ‘ same Shares, except Sir *Samuel Maclellan*, who is
 ‘ dead, and that it can be made appear, that the
 ‘ Prices given in these Contracts, are not near so
 ‘ great, as those in the Contracts made in *Scotland*
 ‘ before the Union; and it is very well known, that
 ‘ in the Years 1709, 1710. there was a greater
 ‘ Dearth and Scarcity of Forage in *Scotland*, than
 ‘ had been for some preceding Years, or that can
 ‘ be pretended there is at this Time.

After this Declaration was read, warm Debates
 arose, which lasted till past ten at Night, upon
 putting the Question, Mr. *Walpole’s* inveterate
 Enemies (who were equally so to the Duke of *Marl-*
borough) carry’d the following Resolutions against
 him.

First, ‘ That *Robert Walpole*, Esq; (a Member of
 ‘ this House) in receiving the Summ of five Hundred
 ‘ Guineas, and in taking a Note of five Hundred
 ‘ Pounds more on Account of two Contracts for
 ‘ Forage of her Majesty’s Troops quartered in
 ‘ North

• *North Britain*, made by him when Secretary at
• War, pursuant to a Power granted to him by the
• late Lord Treasurer, was guilty of a high Breach
• of Trust, and Notorious Corruption,

Secondly, • That the said *Robert Walpole*, Esq;
• be, for the said Offence, committed Prisoner to the
• Tower of *London*, during the Pleasure of this
• House; and that Mr. Speaker issue his Warrant
• accordingly.'

Then a Motion being made, and the Question put,
that the House should Adjourn, it passed in the Ne-
gative; whereupon a second Debate arose; at last
it was Resolved (though but by a Majority of about
thirty two Votes) • That the said *Robert Walpole*, Esq;
• be, for the said Offence, also expelled the House;
• and that the Report of the Commissioners of pub-
• lick Accompts be taken into farther Consideration
• that Day sen'night.' Mr. *Walpole*, pursuant to the
above Vote, surrendered himself, the next Morning,
Prisoner to the Tower.

I cannot pass over this severe Censure, without ma-
king some Observations on the Hardship Mr. *Walpole*
met with: All the Evidences agree, that a third Per-
son, a Friend of Mr. *Walpole's*, or one recommended
by him, was to be concerned in the Contracts. Mr.
Mann swears positively that he was this third Person.
Montgomery also swears, that Sir *Samuel Maclellan*
declared to him, on his Death-bed, that a Friend of
Mr. *Walpole's* was to be a Sharer in the Contract;
and Colonel *Douglas*, who was equally concerned,
Declares, that Sir *Samuel* told him, he had admitted
a Gentleman in *London*, recommended to him by Mr.
Walpole, for a Share; and that he always understood,
that that Sharer was to bear equal Risque with the
rest, in Case any Loss should happen. Can any one,
after reading these Depositions, and Mr. *Hampden's*
Speech which we shall presently lay before the
Reader, (after laying aside Party-Prejudice) pre-
tend

tend to say, Mr. *Walpole* was not cruelly used, in being imprisoned and expelled the House for an Offence, where, the Evidence, as Mr. *Hampden* justly observes, 'was but a Presumption against a Presumption, together with a positive Evidence upon Oath'.

A Gentleman in a Letter to his Friend in the Country, published soon after this Transaction, makes the following excellent Observations on the Treatment Mr. *Walpole* met with.

'As I could, by no Means (says the Gentleman to his Friend) consent to the Sentence passed on Mr. *Walpole*, so I could as little concur with the Punishment that was inflicted upon him: There is no more known Rule of Justice, than, that Punishment should be always adequate to the Crime; and, admitting Mr. *Walpole* to be guilty of what was laid to his Charge, I confess, I thought it a particular Instance of Severity, to proceed to such Extremity with him. Had his Offence been of the highest and blackest Nature, and surely no body will say this was so, it was not in the Power of the House of Commons to inflict any further Punishment upon him, unless they had ordered him to be prosecuted at Law; which I can't think was avoided by Chance, or out of Good-nature, but the Want of such Evidence as every Man knows would be required in *Westminster-Hall*.

'If the Name of *Liberty* is not entirely forgot in *England*, and is still of any Value amongst us; if the Privilege of sitting in Parliament, is to be thought the first Honour an *Englishman* can be ambitious of; and to be expell'd from that august Assembly, the last Disgrace that can befall him; if a Man's Honour, or Reputation, is, or ought to be, dearer to him than Life itself; I hope I shall be excused by those with whom I differed, that I would not give my Consent to a Five Months Imprisonment: Which, being attended with a great Expence, is likewise a very considerable Fine, to an
'Expul-

• Expulsion from Parliament, and to the fixing the
 • infamous Brand of notorious Corruption, to be re-
 • corded in the *Journals* to all Posterity, upon a Gen-
 • tleman's Name; whose Character is not inconfide-
 • rable, whose Defence was as strong and positive as
 • Words can express; and especially for a Fact which,
 • if it had been true, did not, in my Opinion, de-
 • serve the least of those Severities.'

Now, to continue our Account of the further Pro-
 ceedings of the Parliament, on the 19th of *January*,
 two Days after Mr. *Walpole* was expell'd, Mr. *Lock-
 art* came again to the Commons, and inform'd them,
 That when Mr. *Robert Mann* attended them, on the
Monday before, they directed him to bring them the
 second Note in his Deposition, mentioned to be paid
 by Mr. *Montgomery* to Mr. *Walpole*; and that upon his
 attending them the next Day, he refused to deliver
 a Copy of the said Note, or to be examined, or to do
 any Thing more than what he had done before, say-
 ing, he was so advis'd by Council: Whereupon the
 House ordered, ' That the said Mr. *Robert Mann*,
 • for having contemptuously refused to be further
 • examined before the *Commissioners of Publick Ac-
 • counts*, should be taken into the Custody of the Ser-
 • jeant at Arms attending the House.'

The Author of the Letter I have just now men-
 tioned, judiciously argues after the following Manner
 upon this Occasion.

• I have heard an Objection raised from Mr. *Mann's*
 • refusing, a second Time, to be examined by the
 • Commissioners of Publick Accounts, from whence
 • Consciousness of Guilt is inferr'd, as if the Cause
 • was not able to abide a stricter Examination.—

• In Answer to this,

• It's first observable, that if there be any Weight
 • in the Objection, it would have no Weight or In-
 • fluence in the House of Commons, in convicting Mr.
 • *Walpole*; because the Complaint against Mr. *Mann*
 • was not made to the House, till after the whole

• Proceed-

Proceeding was over and past; but if it makes any Impression upon Men's private Opinions, it's necessary the World should know, that when Mr. Mann went and voluntarily offered himself to be examin'd by the Commissioners, after the Affidavit was made in Justification of Mr. Walpole, Mr. Mann was examined, and cross-examined, upon his Oath, by the Commissioners, for above three Hours, from whence they form'd that notable second Deposition, that they thought worth presenting to the House of Commons; but in forming this second Deposition, they made themselves the sole Judges of what should be inserted, and what omitted, and thereby left out several Things that were material to explain the other Parts of the Information. This Method of Proceeding, Mr. Mann might well apprehend, would tend more to ensnare him, than to set the Matter in a true Light; and by the Account that I have heard of the Method that the Commissioners take in their Examinations, and reducing them afterwards into Form; wherein, although they add nothing, they take upon them to leave out as much as they please, which is never more than all that makes against their Purpose, I do not at all wonder, that any Man, that has the least Regard to his Reputation, is unwilling to subject himself to such new Methods of Justice. But if seven such ingenious Persons (meaning the Publick Account Commissioners) were not able in three Hours Examination, to puzzle and confound an illiterate Person, enough to draw from him any Thing that did, in the least, affect Mr. Walpole, it will be very hard to make an Inference to Mr. Walpole's Prejudice; because Mr. Mann, who is by no Law subject to their Jurisdiction, as having never been concern'd in any publick Capacity, was unwilling to be examined again upon his Oath, after he had given them all the Information that he could, and submitted to a three Hours Examination the Day before.

Mr.

Mr. *Walpole* having been attacked, found guilty, and punished, 'twas rightly conjectured, that the Duke of *Marlborough* would not escape without a parliamentary Censure, which seem'd necessary to justify his Disgrace.

On *Thursday* the 24th of *January*, the Commons, in a full House, took into Consideration, that Part of the Report of the Commissioners of Publick Accounts, relating to the Duke of *Marlborough*; and having read the Minutes of Mr. *Cardonnel's* Depositions, and the Translations of Certificates of two Persons beyond Sea, about Allowances given by the Contractors for Bread, and Bread-Waggons, there arose a very warm Debate; in the Conclusion of which it was resolved,

' That the taking several Sums of Money annually, by the Duke of *Marlborough*, from the Contractors for furnishing the Bread, and Bread-Waggons, for the Army in the *Low-Countries*, was unwarrantable and illegal.'

Then a Motion was made, and the Question put, that the House do adjourn, it passed in the Negative; after which, it was also resolved, ' That the Two and a half *per Cent.* deducted from the Foreign Troops in her Majesty's Pay, was publick Money, and ought to be accounted for; and that the said Resolutions be laid before her Majesty by the whole House.'

Accordingly, on *Saturday* the 26th of *January*, the House, with their Speaker, laid the said Resolutions before the Queen; who thereupon was pleased to answer, ' That she had a great Regard for whatever was represented to her by the Commons, and would do her Part to redress what they complain'd of.'

The Commons, further to shew their Spirit for Censuring, had no sooner done with the Duke of *Marlborough*; but they attack'd the Lord Viscount *Townsend*; for that Purpose, they address'd the Queen, that the Barrier Treaty might be laid before them, which was accordingly done.

On the 28th of *January*, the House in a Committee,

took the same into Consideration, where they came to the following Resolutions.

• *First*, That in the Treaty between her Majesty and the *States General*, for securing the Succession to the Crown of *Great-Britain*, and for settling a Barrier for the *States General* against *France*, under Colour of securing the Protestant Succession, and providing a sufficient Barrier for the *States General* against *France*, there were several Articles destructive to the Trade and Interest of *Great-Britain*, and therefore highly dishonourable to her Majesty.

• *Secondly*, That the Lord Viscount *Townshend* had not any Orders, or Authority, for negotiating or concluding several Articles in the said Treaty.

• *Thirdly*, That the Lord Viscount *Townshend*, who negotiated and sign'd, and all those who advised the Ratifying of the said Treaty, were Enemies to the Queen and Kingdom.

Which Resolutions were, on the 16th of *February*, reported by Mr. *Annesley*, and agreed to by the House.

As soon as the Commons had condemned the *Barrier-Treaty*, they immediately proceeded to consider further of the Report from the Commissioners of the Publick Accompts which furnished them with Materials for Attacking and Censuring Mr. *Carbonnel*, and Mr. *Sweet* who had been employed under the Duke of *Marlborough*.

The House, to that End, caused to be read that Part of the Report concerning Mr. *Carbonnel*; in Answer to the Charge, Mr. *Carbonnel* was heard in his Place, and then he withdrew; after a long Debate his Enemies carried the following Resolutions against him.

• *First*, That the taking a Gratuity of 500 Gold Ducats annually from the Contractors, for Bread and Bread-Waggons for the Army in the *Low Countries*, by *Adam Carbonnel*, Esq; (Secretary to the General there) a Member of this House, was Unwarrantable and Corrupt.

• *Secondly*, That the said *Adam Carbonnel*, Esq; be, for the said Offence, expelled the House.

Then

After Mr. *Carbonnel* was Censured and Expelled, the Commons ordered that Part of the Report relating to Mr. *Sweet*, Deputy Paymaster of the Force^s at *Amsterdam* to be read, which was read accordingly; thereupon they resolved,

‘ That the one *per Cent.* received by Mr. *Sweet*, Deputy Paymaster at *Amsterdam*, upon the Payments made by him to the Contractors for Furnishing Bread and Bread-Waggons in the *Low Countries* was Publick Money, and ought to be accounted for.

Some Days before this last Resolution, to compleat the Duke of *Marlborough's* Disgrace, the Earl of *Bridgewater*, one of his Grace's Sons-in-law, was desir'd to remove from his Lodgings in *St. James's* Palace, and his Pension, as having been Master of the Horse to the late Prince of *Denmark*, was suspended.

On the 28th of *January*, Mr. Auditor *Harley*, laid before the Commons, an Account, of how much of the 35 Millions, &c. had been accounted for, before the Auditors of the Imprest, since the Report of the Committee of Parliament, in *April 1711*.

This Account was called for, undoubtedly with Design to keep up the Reports of Mismanagement, Misapplication and Embezzlement of the Publick Money, which had been charged on the late Ministers; and were made the chief Ground of Complaint and Censure.

Mr. *Walpole*, though he was confined, was not wanting in his Endeavours to clear the late Ministry from the scandalous Reflections cast on them by their Enemies in respect to the Misapplication of the Publick Money.

In two long Letters, published in Print on that Head, he undeceives the most prejudiced, and makes it fully appear,

‘ That the great Debt of the Nation was occasioned by absolute Necessity; that the good of the Publick, and the Authority of Parliament, required

these extraordinary Expences and Services. That
 of the 35 Millions, &c. Accounts had been duly
 rendered for all but four; that the Delays which
 had hapned in passing most of the Accounts had
 arisen only from Necessity, and the Nature of the
 Services, that the common Course and Method of
 Business made it impracticable for several Accomptants to comply with the Rules of the *Exchequer*,
 that if in some few Instances all possible Care and
 Dispatch had not been used to prosecute and finish
 the Accounts; the blame was by no means to be
 laid where the general Olamour had fix'd it. That
 of all the Money granted for the Service of this
 War, and issued during the late Administration;
 it did not appear there had been the least Loss and
 Embezzlement; that there was no Ground to sus-
 pect that by not compelling the Accomptants to
 pass their Accounts, any Frauds or Misapplicati-
 ons had been concealed; and that upon the whole
 Matter there was never a greater Calumny raised
 upon less Grounds, than that which he had disproved.

These two Letters were well received by the con-
 siderate Part of the Nation, though they were not so
 by the New Ministry. In short the Letters plainly
 shew'd, that the Censures passed on the late Ministry
 proceeded more from Malice than any just Cause.

During these Transactions a new Writ issued for
 Electing a Burgess to serve for *Lynn Regis*, in the
 Room of Mr. *Walpole*. His Enemies were not satisfied
 with his Expulsion and Commitment to the *Tower*,
 they used their utmost Efforts to prevent his being
 re-elected; but alas, it was in vain, he carried his
 Election by a great Majority against Mr. *Taylor*.

Mr. *Walpole's* Enemies having failed in their
 Attempts without Doors, put them upon another
 Scheme, that was, they prevailed on Mr. *Taylor* to
 petition the House of Commons against Mr. *Walpole's*
 Election.

On the 6th of *March*, the Merits of that Petition
 was taken into Consideration, and several Speeches

pro and *con* were made in the House; the most remarkable was, Mr. Hampden's; which being Curious, and having never yet been published, I here present it transcribed *verbatim* from Mr. Hampden's own Manuscript.

Mr. Speaker,

' The Petition makes no Objection to the Merits
' of the Election; the Numbers upon the Poll were,
' for Mr. Walpole 285, Mr. Tayler 150; Majority 135.

' The Objections are grounded upon the Words
' of the Writ, or upon an Incapacity incurred either
' by being a Prisoner in the Tower, or by having
' been expelled the House

' The Words of the Writ are always the same,
' upon all Vacancies and void Elections; but there
' are innumerable Instances of the same Person, being
' re-elected and returned.

' Imprisonment in the Tower can't create an Inca-
' pacity*; for then a Commitment wou'd be an Ex-
' pulsion, because whatever renders a Man incapa-
' ble of being elected; renders him incapable of
' sitting; altho' elected, and there are many Instances
' of Members being imprisoned for a whole Sessions,
' and continuing Members.

' If an Expulsion implies an Incapacity, it must
' be founded upon some known Law, or upon the
' Usage or Custom of Parliament. There is no Pre-
' tence of any Law; and the Usage and Custom must
' be prov'd by Precedents, which is necessary and
' incumbent upon them to produce, because no Man
' can loose any Right, Privilege or Property, without
' the Authority or Usage, when Usage is the Law.

' An Incapacity in some Cases, having been ex-
' pressly inserted and added to the Sentence of Ex-
' pulsion, is an Argument, that it is not necessarily
' implied.

' To declare a Man incapable, wou'd certainly be
' thought an additional Punishment: How can it
' then

* Sir Thomas Coke's Case.

then be thought just, for the same Crime to inflict a second and more severe Punishment, than the House thought it just or reasonable to come up to, when the Matter was properly in Judgment before them.

To forfeit a Man's present Seat in Parliament, is a very severe Punishment; but 'tis a far greater to be rendred incapable of being again elected, during the Continuation of the Parliament, which ought to have been then inflicted if the Crime had deserved it.

If no Law or Usage makes an Expulsion, an Incapacity, then nothing but a Declaration of Parliament can do it; which having not been made previous to the Election, there could be no Incapacity at the Time of the Election, and such a Declaration subsequent to the Election; is in other Words a second Expulsion, and the Judgment of the House being in this Case the only Law, is a Law *ex post facto*.

If the House may without Breach of any Law or Usage, admit Mr. *Walpole*, they ought in Justice to admit him; for without a legal Right, it is not in their Power to admit him; and not to admit him with a legal Right, is what Power for a Time may support, but nothing can justify.

The Honour of the House is no way concern'd in admitting a Member, whom they had before expelled; unless they themselves were the Electors. They are the sole Judges of who are duly and legally elected; but the Corporations, &c. have the sole Power of determining who are fit and proper Persons, and to be elected under such Qualifications and Restrictions as the Law directs.

The Honour of the House had been concern'd to keep Mr. *Walpole* out of Parliament, if they had declared him Incapable of being elected; for then there had been in a Contempt; But to declare now him incapable, is to expel him again for the same Fact, for which he has already suffered beyond Precedent.

‘ If the Nature of the Crime be such, that a
 ‘ Man’s having been once voted guilty of Bribery,
 ‘ makes him unfit to sit in Parliament, the same Rea-
 ‘ son will hold to all succeeding Parliaments.

‘ But the Crime here cannot be thought to make
 ‘ the Incapacity; because others found guilty of
 ‘ greater Corruption, have not been so much as ex-
 ‘ pelled the House, but only committed to the
 ‘ Tower *.

‘ And if the Crime is to be considered, the Evi-
 ‘ dence also, upon which the Conviction was made,
 ‘ is likewise to be considered; which in the present
 ‘ Case was but a Presumption against Presumption,
 ‘ together with a positive Evidence upon Oath.

‘ The Case of Mr. *Sloan* is the only Precedent
 ‘ that is pretended to, but does not at all affect the
 ‘ present Question.

‘ The House resolved that Mr. *Sloan* in treating
 ‘ the Corporation of *Thetford*, had been guilty of
 ‘ a Breach of the Act of Parliament, for preventing
 ‘ Expences in Elections, and thereupon his Election
 ‘ was Void, and a new Writ issued out; Mr. *Sloan*
 ‘ being again elected, the Question was, upon the
 ‘ Construction of the Act of Parliament, how far
 ‘ the treating at the said Election was to be suppo-
 ‘ sed to influence the second Election, and the Reso-
 ‘ lution that he was not capable to sit in that Parlia-
 ‘ ment, is not general, but confined to the Borough
 ‘ of *Thetford*; so that Mr. *Sloan* was neither expelled,
 ‘ nor declared incapable of sitting in that Parliament,
 ‘ as having been expelled; but only not capable of
 ‘ serving in that Borough, which he had cor-
 ‘ rupted, and where the former Treating might be
 ‘ supposed still to operate. But he might have
 ‘ been chose in any other Borough, and sit in that
 ‘ Parliament, even after the last Resolution, and by
 ‘ Consequence was under no such Incapacity as is
 ‘ contended for.

The

• Lord Falkland for taking 5000 l. which he confessed.

• The Resolution in Mr. *Hall's* Case was, That
 • *Arthur Hall* should presently be removed, severed,
 • and cut off from being any longer a Member of
 • this House, during the Continuance of this pre-
 • sent Parliament: Which Sentence, in our modern
 • Language, is not only an Expulsion, but a Prohi-
 • bition to his being again chosen in that Parliament;
 • which is declaring him incapable, and making the
 • Incapacity Part of the Sentence and Punishment.

• Sir *Robert Sawyer* was expell'd, and re-elected,
 • as appears by the Returns into the Crown-Office.

• Mr. *Wollaston* was likewise expell'd and re-elect-
 • ed, and sat in the same Parliament unmolested;
 • and the Distinction that is made upon the Cause of
 • his Expulsion, does not alter the Case; for it is
 • the Sentence and Judgment of the House, if any
 • thing, and not the Crime or Occasion, that makes
 • the Incapacity, and either every Man that is expell'd
 • is thereby made incapable, or no Man.

Mr. *Hampden's* Speech on this Motion, is
 so strong, nervous, and worthy of a *Briton*, that it
 deserves to be written in Letters of Gold.

After both Sides had done speaking, a Motion was
 made, and the Question put, that Council be call'd in,
 it pass'd in the Negative.

Then the Writ for electing a Burgess for the said
 Borough of *Lynn Regis*, in the room of *Robert Wal-
 pole*, Esq; expell'd the House; and also the Sheriff
 of *Norfolk's* Precept thereupon, and the Indenture
 of the Return between the Sheriff and the Mayor
 and Burgesses of the said Borough, were read; after
 which it was resolv'd,

• First, That *Robert Walpole*, Esq; having been, this
 • Session of Parliament, committed a Prisoner to the
 • Tower of London, and expell'd this House, for a high
 • Breach of Trust in the Execution of his Office, and
 • notorious Corruption when Secretary at War, was,
 • and is, incapable of being elected a Member to
 • serve in this present Parliament.

• Secondly, That *Samuel Taylor*, Esq; is not duly
 • elected.

• Thirdly,

Thirdly, That the late Election for a Burgess to serve in the present Parliament for the said Borough, is a void Election.

But, to *Mr. Walpole's* immortal Honour, it ought to be remembered, that they who deprived him of his Seat in one House, did, at the same Time, deny the Duke of *Cambridge*, our present most Gracious Sovereign, his Seat in the other.

The Gentleman in his Letter to his Friend in the Country, from whom I have quoted two Paragraphs, makes this further Observation upon *Mr. Walpole's* being deny'd his Seat in Parliament.

That the greatest Reproach to Parliaments, has been the notorious Partiality of Committees of Elections; which, tho' 'tis a Practice that all Parties have been concern'd in, is now grown to such a Height, as to give just Offence and Scandal to all the thinking Part of Mankind; but if this Spirit of Injustice shall still farther prevail, and diffuse itself thro' all the Proceedings of Parliaments, how grievous must it be to the People, how destructive and derogatory to the Honour and Dignity of Parliaments. To determine the Right of an Election, not by the Merits of the Cause, but by the Party the Member espouses, is certainly most unjust; but to make Party the Rule and Measure of all our Actions, to condemn or acquit by Party, in the only Judicature we have, which is that of our own Members: To blast the Honour and Reputation of a Member, and only for Party to imprison, and to add to this the highest Penalty that is in our Power to inflict, Expulsion; and then, when fairly re-elected, refuse him his Seat in Parliament; and all this for the Sake of Party: If this, I say, should ever be thought to be the Case, what can lessen more the Authority and Weight of Parliamentary Censures? What can tend more to make Parliaments not only the Contempt, but Aversion of Mankind.

After

After Mr. *Walpole's* Enemies had satiated themselves in taking this last Revenge on him; the Commons proceeded to other Business, where the Duke of *Marlborough* was immediately concerned.

On the 7th and 8th of *March*, the House in a grand Committee came to several Resolutions about the Supply; and on the 9th consider'd of Ways and Means to raise it, among other Particulars, they resolv'd,

That the Deductions of Two and a half *per Cent.* which had, or ought to have been made from the Pay-Subsidies, or other Allowances for Foreign Troops in her Majesty's Service, be continued for the Year 1712, and apply'd for the Service of the War, in Aid of the Provision made, or to be made in this Session of Parliament, for that Purpose.

This last Resolution was no doubt design'd to Colour the Censure, the Commons had already pass'd on the Duke of *Marlborough*, and to make the Proceedings both within and without Doors all of a Piece, the Queen was pleas'd to give Directions to her Attorney-General, to prosecute the Duke of *Marlborough*, in her Court of *Exchequer*, in order to recover the Two and half *per Cent.* deducted from the Pay of the Foreign Troops in her Majesty's Service; and which had been, as alledged, received and applied by the Duke of *Marlborough* to his own Use.

Notwithstanding these Proceedings, it was on the other Hand the general Opinion of those who had perus'd the Duke's Case, that there was no Law to ground an Action against him; and what was still further in his Grace's Favour, he had even her Majesty's Warrant to justify his Conduct.

To add to all this, an Accident fell out, whilst the Duke's Enemies were busy in their Reflections and Proceedings against him, that intirely acquitted his Grace.

The Princes, whose Troops were in the Queen's Pay, did, expressly order their Ministers at the *British*

tiſh Court to repreſent to her Maſteſty, that the ſaid Two and half *per Cent.* about which ſuch a Noiſe had been made, was their own Money; but that they were willing to allow it, as a free Gift, to the Duke of *Ormond*, as they had before done to the Duke of *Marlborough*; this laſt Declaration was a full Juſtification of the Latter, and proved no ſmall Mortification to his Grace's Enemies; who after a great deal of Reproach and Buſtle, were not able to fix any thing on him; inſomuch that at laſt the whole Complaint vaniſhed into Smoak.

During the Time, theſe and other extraordinary Proceedings were carrying on, many worthy Patriots exerted themſelves in Defence of the true Friends of their Country; which occaſioned the Printing of ſeveral valuable Papers, that were of infinite Service to the Publick; and as ſome of the Pretenders for aſſerting the Liberty of the Preſs, when they are called on for Printing the moſt bare-faced and notorious Libels, complain of the Treatment they meet with from the preſent Adminiſtration, I ſhall here put them in Mind, that their Patrons in this Parliament never ſpared thoſe who had any way diſpleaſed them. An inſtance of which I ſhall mention in the Caſe of Mr. *Buckley*, and then give them a ſhort Recital of the Proceedings in the Houſe of Commons, in order to take intirely away the Liberty of the Preſs.

Mr. *Buckley* was Author, and Printer of a Paper called the *Daily Courant*. The Republick of *Holland* being diſſatisfied with the Change of Affairs at the *Britiſh* Court, did, by a Memorial, repreſent to her Maſteſty, their Fears and Uneaſineſs on that Head.

Mr. *Buckley* printed the Memorial, the Freedom taken by the States-General in their Representation to the Queen, was by no Means pleaſing to the Gentlemen in the Miniſtry.

The Parliament being Sitting, Complaint was made to the House of Commons, in relation to the Printing the Memorial. The Gentlemen who moved the House, declared, that it highly reflected on their Proceedings, and consequently the Printer ought to be punished in an exemplary Manner; whereupon the House ordered the Printed Memorial to be brought up to the Table, and the Title thereof, and some Paragraphs therein, were read, and then the House resolved,

‘ That the pretended Memorial, printed in the *Daily Courant*, is a false, scandalous, and malicious Libel, reflecting upon the Resolutions of this House, and the Address of this House to her Majesty thereupon, in Breach of the Privileges of this House.

The Commons had no sooner voted this Memorial a Libel, but they appointed a Committee to inquire who was the Author, Printer and Publisher thereof; and at the same Time empower'd the Committee to send for Persons, Papers and Records.

Mr. *Hungerford* was chosen Chairman; the Committee sent for Mr. *Buckley*, and after examining him, *Hungerford* made his Report to the House, importing in Substance; that *Samuel Buckley* was the Writer, and Printer of the *Daily Courant*; and that he owned his having Translated and Printed the said Memorial.

Upon Mr. *Hungerford's* Report, the following Question was put, ‘ That it appearing to this House, that *Samuel Buckley*, is the Printer of the pretended Memorial, printed in the *Daily Courant* which hath been adjudged by this House to be a false, scandalous, and malicious Libel, reflecting upon the Resolutions of this House, and the Address to her Majesty thereupon, in Breach of the Privilege of this House; and that he be for the said Offence taken into the Custody of Serjeant at Arms attending this House’; whereupon the House divided, but the Question was carried in
the

the Affirmative by a Majority of 168 Voices against 59, and thereupon Mr. *Buckley* was taken into Custody.

It was at that Time reported, that the main Reason for this Censure, proceeded from a Supposition, that the said Memorial was not Genuine, which proved to be altogether groundless; for that very Memorial was published at the *Hague*, in *French* and *Dutch*, by the States Printer in Ordinary, and inserted in the *Amsterdam Gazette*; and was some Time after printed here in *England*, in a Folio Pamphlet.

This Step taken by the House did not satisfy the Courtiers; they were so exasperated at the Memorial being printed in a News Paper; that some of them vowed no less than the total Destruction of the Liberty of the Press; and by the Means of the Majority they had got in the House, they procured a Committee to be appointed under Pretence of considering of that Part of her Majesty's Message to the House, relating to the publishing false, and seditious Libels.

Sir *Gilbert Dolben* was chosen Chairman of this Committee, where many smart Speeches were made on both Sides; in the Conclusion the Committee came to the following Resolutions.

' *First*, That the great Liberty taken in publishing scandalous and impious Libels, creates Divisions among her Majesty's Subjects, tends to the Disturbance of the publick Peace, and is highly Prejudicial to her Majesty's Government, and is occasioned for want of due regulating the Press.

' *Secondly*, That all Printing - Presses be registered, with the Names of the Owners, and their Places of Abode; and that the Author, Printer, and Publisher of every Book set his Name and Place of Abode thereto.

These Resolutions were ordered to be reported on *Tuesday* the 15th of *April*; by Means of Mr. *Hampden*, and other true Patriots, the said Report was then

put

put off till that Day Sev'night, and then further adjourn'd from Time to Time.

Many Gentlemen among the *Tories*, were afterwards made sensible that it would be attended with the most dangerous Consequences, should a Bill pass on the Foot of the second Resolution; therefore, to soften Matters, it was at last proposed, by some of the Members in the Committee, that a better Way might be found out to suppress Libels, than what had been first mentioned; which was, to lay a heavy Duty upon all *Pamphlets* and *News-Papers*; and apply what was raised therefrom, towards the Expences of carrying on the War. No sooner was this Proposal made, but approved of; and, shortly after, a Bill was brought into the House, for that Purpose; and the same passed into a Law; by Means whereof the Liberty of the *Press* was, in some Measure, preserved: For, if an Act had passed in the manner first proposed in the Committee, that valuable Liberty might justly, from that Time, have been for ever bid *Adieu*.

This memorable Parliament, after they had done with the *Printers*, next fell upon the Bishop of *St. Asaph*, on Account of a Preface, which he had prefix'd to *Four Sermons*, preach'd by him on as many extraordinary Occasions.

The Bishop, in this Preface, recites the glorious Actions of the first Part of the *Queen's* Reign, and withal takes Notice, how faithfully she had been served by the late Ministry; but, when he comes to speak of the then present Proceedings, he draws his Pen, and says, *Our Enemies will tell the Rest with Pleasure: But, says the Bishop, it will become me better to pray to God, to restore us to the Power of obtaining such a Peace, as will be to the Glory and Welfare of the Queen, and her Dominions, and to the general Satisfaction of all her High and Mighty Allies.*

The *Courtiers* were fired with Resentment against the Bishop, for his honest Declaration, and with great Warmth complained against him to the *House of Commons*; the Preface was ordered to be brought up to the Table, where some Passages therein were read. *Commit it to the Flames*, was the Cry on the one Side; on the other, the Bishop was defended with equal Zeal. Upon the Whole, the following Resolutions were carried in the *House*.

' *First*, That the said Preface is malicious, and factious, and highly reflecting upon the present Administration.

' *Secondly*, That the said Preface be burnt by the Hands of the Common Hangman.

In solemn Form, the Preface was burnt notwithstanding the House had thus disposed of it; the the Bishop's Memory, the Preface, and his other valuable Works, will be always regarded, and esteemed, as long as Liberty and Property is dear to the *British Nation*.

From this last Observation on so extraordinary a Proceeding, let us attend the Conclusion of this Session of Parliament; which draws on apace:

On the 21st, the Queen came to the *House*, pass'd several Bills, and made a Speech; then the Lord Keeper signified to both *Houses*, that it was her Majesty's Pleasure, that they should adjourn until the 8th of *July*, then next; which they accordingly did.

This Adjournment, instead of a Prorogation, as was expected, was variously discoursed of, and generally allowed to be done purely to mortify Mr. *Walpole*, who chose to continue a Prisoner in the *Tower*, rather than make his Submission to the *House*. In Fact, he scorned to ask any Favour from the Hands of his Enemies, being truly sensible that the tender Mercies of the Wicked are cruel. Mr. *Mann*, and Mr. *Buckley*, did, likewise, on their Parts, shew the same generous Resolutions. In short, Mr. *Walpole*

has

has by his subsequent Conduct, (becoming the Greatness of his Mind,) fully shewn, that he has not forgot what has been observed on the like Occasion, by a good Author: *Charity*, says he, *teaches me to forgive my Enemies; but, Prudence directs me never to trust them.*

The 8th of July being come, the Parliament was that Day prorogued by Commission, whereby Mr. *Walpole*, *Mann* and *Buckley*, were discharged of Course. Thus ended the second Session of this Censuring Parliament.

Whilst the Parliament was employ'd at Home, in Attacking and Censuring the true Friends of their Country, the Duke of *Ormond* Commanded her Majesty's Forces in *Flanders*; he had not been long there, before it was visibly seen what the Ministers designed shortly to put in Execution.

However, the Duke of *Ormond*, upon his Arrival in *Holland*, at first made a Shew of acting in Concert with the Allies; but when he was desired to undertake a Matter of Importance against the Common Enemy, he put it off under various Pretences. The Duke's Behaviour gave the Confederates no small Uneasiness; they became now as pressing to the Duke to explain himself, as to what they were to expect from him, as before they were solicitous for him to undertake some Enterprize against *France*. Affairs, by Degrees, became ripe for him to throw off the Mask; at last he told them, in plain Terms, that his Orders was, not to fight; on the Contrary, he had received new Instructions, which directed him to proclaim a Suspencion of Arms with *France*; and that if they did not agree to do the like on their Parts, he was further ordered, to separate the Troops that were in the *British* Pay, from the Grand Army.

This Declaration was received by the other Generals with Amazement, they instantly sent Expresses to inform their Masters of what the Duke had declared. In return, those Gentlemen received Orders from their
Masters

Masters, not to agree to the Duke's Proposal, as soon as *Ormond* was informed of the Determination of the Allies, he published the Suspension of Arms and withal withdrew his Forces from the Grand Army; he had not many Days so done before they were Spectators of the *French* cutting ten Thousand *Dutch* to pieces, at *Denain*. These very memorable Proceedings on the Part of the *English* Ministry, ended in the Queen's making a separate Peace, at *Utrecht*, with *France*, to the no little Surprize of all Europe.

Then it was, that those who had been the most zealous for changing the Ministry, and had really the true Interest of their Country at Heart, repented their Behaviour to the Duke of *Marlborough*; they now saw with Regret, that the Honour of the *British* Arms was tarnished, and that the Name of an *Englishman* was become a Reproach Abroad.

During these Transactions, to wit, before the End of the Year 1712, the Duke of *Marlborough* retired into *Germany*; soon after the following Lines appeared in Print, address'd to his Grace.

GO mighty Prince, and those great Nations see,
Which thy victorious Arms before made free;
View that fam'd Column where thy Name engrav'd,
Shall tell their Children who their Empire sav'd:
Point out that Marble, where thy Worth is shown
To ev'ry grateful Country but thy own.
O Censure undeserv'd, unequal Fate,
Which strove to lessen him who made her Great:
Which pamper'd with Success, and Rich in Fame,
Extoll'd his Conquests; but condemn'd his Name.
But Virtue is a Crime, when plac'd on high;
Though all the Fault's in the Beholder's Eye.

Yet he, untouch'd, as in the Heat of Wars,
Flies from no Danger, but domestick Fars;
Smiles at the Dart which angry Envy shakes,
And only fears for her whom he forsakes:

He grieves to find the Course of Virtue cross;
 Blushing to see our Blood no better lost:
 Disdains in Faction's Parties to contend,
 And proves, in Absence, most Britannia's Friend.
 So the great Scipio of old, to shun
 That glorious Envy which his Arms had won,
 Far from his dear ungrateful Rome retir'd,
 Prepar'd, whene'er his Country's Cause requir'd,
 To shine in Peace, or War, and be again admir'd. }

Upon the Conclusion of the Peace between France and England, extraordinary Ambassadors were reciprocally sent to each Kingdom.

Lewis the 14th, on his Part, sent the Duke d'Aumont to England, to compliment the Queen; and she, in return, sent the Duke of Shrewsbury on the same Errand to France.

Soon after the Duke d'Aumont's Arrival in England, he made a grand Publick Entry, and was, for three Days, magnificently entertained at the Queen's Expence, at Somerset House. On Saturday the 4th of July, 1713. he was conducted to his publick Audience, the Earl of Salisbury, and Sir Clement Cotterel, Master of the Ceremonies, with six Gentlemen of the Privy Chamber, brought him from Somerset House to St. James's in her Majesty's Coach, followed by the Embassador's Coaches, in the same Order that was observed at his Entry. His Excellency was received at the Palace Gate by Sir Philip Meadows, Knight Marshal. Her Majesty's Foot Guards were drawn up in the Court, and the Officers saluted his Excellency with Pike and Colours, and afterwards with their Hats, as he past by, the Drums beating a Call. He was received at the Door of the Guard-Chamber, by the Lord Paget, Captain of the Yeomen of the Guards, and conducted by him to the End of his Command; after which he was received by the Duke of Beaufort, Captain of the Band of Pensioners, who were ranged on each Side of the Room, and conducted by him in the same Manner to the Door of the

the Room of Audience, where he was met by Mr. Vice Chamberlain, in the Absence of the Lord Chamberlain of her Majesty's Household, and having approached the Queen, his Excellency made the following Compliment to her Majesty.

Madam,

THIS Moment is very glorious for me, since, in the happiest and brightest Conjunction, I have the Honour to give your Majesty, on the Part of the King my Master, publick Assurance of all the Sentiments that engage him to your sacred Person.

The Events of a long and dreadful War have not, in the least, lessen'd the Amity which the Ties of Blood instill'd in him, nor that high Consideration which is due to personal Qualities, still more Respectable than the Majesty of Titles, and all the Power of a Throne.

These Sentiments, Madam, have been Reciprocal, and the good Correspondence they have form'd between the two Crowns, has baffl'd the Projects of Parties, disarm'd the Nations of the Earth, given new Kings to *Europe*, and fixed, if I dare say it, even your Majesty's Glory.

By Conditions of which you have been the Arbitrer, your Majesty procures the Happiness of your Subjects, the Advantage of your Allies, and, at the same Time, Crowns the great and memorable Events of your Reign, not to be parallell'd in History, and even new on the Throne on which Queen *Elizabeth* sat.

France, tho' accustom'd to find Glory and Resources in her Misfortunes, will, nevertheless, bless your Majesty's Counsels: She has received, with lively Acclamations, the Tidings of a Peace, whose Moderation and good Faith, practis'd with Emulation on both Sides, have broken through all Difficulties, and removed all Obstacles. These Virtues, so rare and so foreign to Treaties, have been reci-

procal in the Course of the late Negotiation, and are become the Earnest and Foundation of a firm and lasting Union, which deposite in your Majesty's Hands, and those of the King my Master, the Balance of all the Powers of Europe,

The Audience being over, his Excellency was re-conducted back in the same State as he was brought from *Somerſet House*. During the Duke's stay in *England*, he lived with the utmost Magnificence.

Whilst the Duke of *Shrewsbury* was in *France*, there appeared in *England* a general Dissatisfaction at the Treaty of *Utrecht*; in return for the French Embassador's Complement to the Queen, one was formed for the Duke's Lady, addressed to *Lewis the XIV.* which was published in the *Flying-Post*; it being curious and rare to be met with, I shall here introduce it.

HAIL tricking Monarch! More Successful far,
In Arts of Peace, than glorious Deeds of War:
As Anna's great Embassadress I come,
With News that will rejoice, both you and Rome:
Ne'er did the French Affairs so gayly smile,
These hundred Tears, as now in Britain's Isle;
For there the Spirit of blind Delusion reigns,
And spreads its fury o'er the stupid Swains:
The Lords, the Commons, and the Priests conspire,
To raise your Power, and their own Ruin higher;
Nay, ev'n the Queen, with Qualms of Conscience press'd,
Seems to advance your Cause above the Rest;
Her generous Temper can't forget so soon,
The Royal Favours you have always shewn,
Both to her Father, and his injured Son,
And therefore is contriving every Day,
The mighty Debt of Gratitude to pay;
For You, she has ceas'd the Thunder of the War;
Lay'd up her Fleet, and left her Channel bare;

For You, the fighting Marlborough is disgrac'd,
 And in his Room a peaceful General plac'd ;
 For You, she broke her Word, her Friends betray'd ;
 With Joy lookt on, and saw them Victims made :
 That pious Princess, when I left her Court,
 The Place, where none but Friends to you resort,
 Bid me to greet you in the softest Words,
 That the most sacred Tye of Love affords ;
 And tell you that she mourns with secret Pains,
 The mighty Loss you have felt these ten Campaigns ;
 And therefore now resolves to give you more,
 By this last Treaty, than you had before :
 And to its former Height, raise your declining Power : }
 She knows she has no Right the Crown to wear ;
 And fain would leave it to the lawful Heir ;
 In order to effect this grand Design,
 And baffle all the Hanoverian Line ;
 A Set of Ministers she lately chose,
 To Honour and their Country equal Foes ;
 Wretches, whose Indigence has made them bold ;
 Who will betray their Native Land for Gold :
 O——d, the Chief of this abandon'd Clan,
 Him, you must Court, for he's your only Man ;
 Give him but Gold enough, the Work is done,
 He'll bribe the Senate, and then all's your own :
 D—— and B——ke are Friends to you ;
 Though 'tis not in their Power much Harm to do :
 But O——d reigns prime Minister of State ;
 Ruling the Nation at a mighty Rate ;
 And like a Conjurer, with his magick Wand,
 Does both the Queen, and Parliament command : }
 Keep but that wily Trickster still your Friend ;
 He'll crown your wishes with a prosperous End :
 Now is your Time, to push for Britain's Crown ;
 And fix K——g J——s the T——d upon the Throne :
 A powerful Fleet prepare ; you need no more,
 Than only land him on his Native Shore ;
 They'll soon depose the present reigning **THING**,
 And in her Stead proclaim your favourite King :

Thus spoke the gay Embassadress, when strait
 Up rose the T——t from his Chair of State:
 With Love transported, and a joyous Air,
 Within his trembling Arms he clasp'd the Fair:
 That Night, as Fame reports, and some have heard,
 A pompous Bed was instantly prepar'd;
 In which the Monarch, and the Heroine lay,
 And spent their Hours in Politicks and Play;
 The Duke o'erjoy'd, that his Italian Dame,
 Could in so old an Hero raise a Flame;
 With an Ambitious Pleasure, as 'tis said,
 Led her himself unto the Royal Bed.

This Paper gave so great Offence to the Ministry, that they caused Mr. *Hurt* the Printer of the *Flying Post* to be prosecuted, for Printing it, and being convicted thereof, at the Sitting of the Court of *Queen's Bench* at *Guild-Hall*, the following Sentence was soon afterwards past on him: 'That he should stand in, and upon the
 ' Pillory on *Saturday* the 27th of *June* in the *Palace-Yard* at *Westminster*, for the space of an Hour,
 ' with a Paper denoting his Offence; and so likewise
 ' the same on *Saturday* the 4th of *July* at *Charing-Cross*; and on *Saturday* the 11th of *July* at the
 ' *Royal Exchange*; to pay a Fine of Fifty Pounds to
 ' her Majesty; and also to be Imprisoned for two
 ' Years, and until he should pay the said Fine, and
 ' to find sufficient Security for his good Behaviour
 ' during Life.

According to this Sentence, Mr. *Hurt* stood in the Pillory on the 27th of *June*, in the *Palace-Yard*, and though several Persons were set on to abuse him, his Friends were so industrious in diverting the Mob, that he escaped unhurt; the same Persons attempted the like at *Charing-Cross*, but were prevented by his Friends; when he stood on the Pillory for the last Time at the *Royal Exchange*, there appeared to be

a form'd Design to stone him to Death, which might have easily been put in Execution, by Reason there was but a small Number of Sheriff's Men to guard him; his Friends being apprized as to what was intended, engaged a great Number of the Spectators to declare in his Favour. His Enemies were so exasperated at finding themselves disappointed, in a fit of Despair they fell upon the Persons that protected him, which occasioned a warm Skirmish to ensue; the Battle was renew'd three Times, and maintain'd on both Sides with great Obstinacy; insomuch that Eleven or Twelve of the Prisoner's Enemies were at once laid sprawling in the Dirt, not before they had been well drubbed with Cudgels. In the Conclusion, the Prisoner's Friends got the Victory; whereby he stood out his Time unhurt from the Pillory, he was carry'd safe into a Neighbouring Tavern. It was observed, that a Man Cook belonging to a certain Nobleman *, was very active in the Fray against the Prisoner, in Return he met with such a hearty Drubbing about the Eyes, from the Prisoner's Friends, that he was oblig'd to be led Home by some of his Party; it was near the space of a Month before he recovered his Sight; during his Illness, he was attended by his Master's Physician, and often visited by his Lord; the Cook's Behaviour, and the uncommon Favour shewn him, raised a Suspicion that he was set on by his Master; it being very well known, that Peer in particu^{lar} was highly disgusted, both against the Author and Publisher of the Speech.

The Duke of *Shrewsbury*, after he had performed his Embassy in *France*, return'd to *England*; where he had not been long before he was made Lord Lieutenant of *Ireland*, his Grace in his Speech to the *Irish* Parliament, declared for, and justify'd the Revolution, this Act of the Duke's was very agreeable at
that

* Lord Bolingbroke.

that Time, and in some Measure made an Atonement for his joining with those, who by their Actions shew'd they were Enemies to all those that were concern'd in that Event.

From this Digression, let us now return to the Proceedings of the *British* Parliament.

On the Ninth of *April*, 1713, the Queen came with the usual State to the House of Peers. The Commons being sent for, she opened the third and last Session of this remarkable Parliament, with a Speech, and then both Houses immediately proceeded on Business. First, in raising the Supplies for the ensuing Year; then the further Proceedings of the Commissioners for taking, examining and stating the Publick Accounts, were call'd for by the Courtiers, with a view to Attack and Censure *Thomas Earl of Wharton*, famous for being a staunch *Whig*, and a firm Assertor of the Liberties of his Country.

Mr. Lockart, from the Commissioners on the 1st Day of *April*, presented several Reports of their Proceedings to the House, in one of which those Commissioners represented, that they had upon Examination found, that the Lord *Wharton* had taken a 1000 *l.* of one *Mr. George Hutchinson*, for procuring him the Office of Register of the Seizures; this Matter they set out in the following Words.

‘ That *Mr. George Hutchinson* had declared on Oath, that he bargained with the Lord *Wharton* for a 1000 *l.* if he wou'd make him Register of the Seizures. That his Lordship did accordingly obtain that Office for him from the Lord *Gadolphin*, then Lord High Treasurer. That in Consideration thereof, and in pursuance of his Bargain, he paid his Lordship a 1000 *l.* on his Admission into the Place, which he now enjoys.

‘ We cannot (says the Commissioners) dismiss this Article, without observing in general, that the selling of Offices belonging to the Revenue, is not only

a Violation of the Law and a Contempt of her
 Majesty's Declaration in Council, as hath been
 said; but it may be attended with the greatest
 Inconveniencies, and every Instance of it will
 naturally produce some Prejudice to the Pub-
 lick. For those who sell, will have more Regard
 to the Sums, they are to receive, than to the
 Qualities of the Persons that buy, and those
 who buy will prefer the Care of reimbursing them-
 selves, to that of performing the Duty of their Of-
 fices; but whether either of these Assertions have
 proved true in the Case now mentioned, your Com-
 missioners pretend not to affirm, the Earl of *Godol-*
phib being since dead.

The Commons upon Reading the Commissioners
 Report, ordered the same to be taken into Considera-
 tion on the 22d of the same Month.

The Order of the Day being read, for the House
 to proceed upon that Part of the Report, which re-
 lates to *Thomas Earl of Wharton*, Mr. *Campion*, one
 of the Commissioners for stating the Publick Accounts,
 presented to the House, the Depositions of Mr. *George*
Hutchinson, in order to prove, that the Earl of *Whar-*
ton received of him a 1000 $\text{\textsterling}$ for procuring him the
 Office of Register of the Seizures, and the same were
 read; as was also that Part of the said Report relating
 to the Earl of *Wharton*; after some small Debate the
 House resolved,

First, That the giving, or taking Money for the
 procuring Offices, relating to the Management of
 the publick Revenue, is a scandalous Corruption,
 and highly detrimental to the Publick.

Secondly, That the giving 1000 $\text{\textsterling}$ by Mr.
George Hutchinson, to *Thomas Earl of Wharton*,
 and his receiving the same, for procuring the said
 Mr. *Hutchinson* the Office of Register of Seizures
 in her Majesty's Customs, as represented in the Re-
 port of the Commissioners, for taking, examining,
 stating the publick Accompts of the Kingdom,
 been before the Act of her Majesty's most

H

gracious

'gracious; general, and free Pardon, this House will
'proceed no further in that Matter.

In this Censure ended the Storm, which for some Time had threatned that great Patriot, who look'd down with Contempt on the impotent Malice of his Enemies.

After the Commons had done with the Earl of *Wharton*, they proceeded next to take into Consideration, that Part of the Commissioners Report, relating to *William Churchill*, Esq. This Gentleman they also Censured, for reserving to himself part of the Profits that arose from a Contract that was made for the Publick Service, whilst he was one of the Commissioners for sick and wounded Seamen.

The Commons having now pretty well done Censuring; they proceeded next to fall upon Trade, under Pretence of making more effectual the 8th and 9th Articles of the Treaty of Commerce, between *Great Britain* and *France*.

A Bill for that Purpose, under the Title of the Bill of Commerce, was ordered to be brought in; which greatly alarm'd the Trading Part of the Nation. No sooner was the Bill read, than 18 Petitions from different Parts of the Kingdom were presented to the House in one Day; praying to be heard against the Bill, which the House granted, and appointed a Day for hearing them.

The Day being come for Hearing the trading Part of the Nation, against the *French* Bill, Mr. *Torriano*, a Merchant, appear'd at the Bar of the House of Commons, on behalf of the Merchants, who spoke with so much Freedom, that some of the Court Members were offended at it; after he had done speaking one of the *Tory* Members mov'd the Committee, that some Mark of their Displeasure might be set on him.

This Motion was opposed by General *Stanbop* Mr. *Lechmere*, Sir *Peter King*, Mr. *John Smith*, *Shephard*, junior, and Mr. *Bromley* (the two *Cambridgeshire*) who said; 'That unless
'the Merchants full Liberty of Speech,

never be able to form a right Judgment, touching that Important Affair, and withal they added, that they hoped no Man shou'd be Reprimanded for standing up for the Trade of *Great Britain*. Upon this Reply the Motion was dropt, and there soon appear'd a noble Emulation in the House, between the *Whigs* and the moderate *Tories*, which shou'd give the trading Part of the Kingdom most Liberty; that grand Point being carry'd; Mr. *Wyatt* was heard on behalf of the *Italian* Merchants, Mr. *Milner* for the *Portugal* Trade, and Colonel *Lekeux* for the Weavers, they severally in their Speeches made use of strong and nervous Arguments, and fully prov'd, that if the Bill before the House pass'd into a Law it wou'd ruin the Trade of *Great Britain*. These Speeches were well received, and had the desired Effect; for assoon as the Merchants were withdrawn, and the Matter came to be debated in the House, the old Patriots in particular, in their Speeches gave the Bill no other Epithet, than that of the destructive *French* Bill of Commerce; most of the moderate *Tories*, on this occasion joined with the *Whigs*; inso-much, that after long and many Debates, the House rejected the Bill, to the universal Joy of all true Lovers of their Country.

Now, to speak a few Words concerning the Treaty of Commerce and this Bill; when the Bill was brought into the House, our Great Men at first pretended it was a Matter very indifferent to them, and that they were no way concerned as to what became of the Bill; they only desired it might take its Fate, as it should be adjudged advantageous or prejudicial to the Nation, when the Eighth and Ninth Articles of this famous Treaty came to be better considered, It was manifest to every Body, that the plain Sense and Meaning of them, could no Ways be understood, but to the Prejudice of *Great Britain*; these were called Factious Constructions, and such as *France* never meant or design'd; and likewise those were so call'd, that oppos'd the Bill, for the Ministry;

After they found the Bill strenuously opposed by the Whigs, and the trading Part of the Nation, could no longer disguise themselves, on a sudden new Orders were given, and the Bill must be carry'd thro' with a Spirit, for France would have it so; and so little did the Ministry, and the French Party doubt of Success, that the French Embassador had an Express ready booted to send the good News of passing the Bill to France, a Bonfire piled before Somerset-House-Gate, and Jones's Guns ready loaded to eccho the Glad Tidings from the other Side of the Water; and with good Reason was all this prepared, for the Bill was rejected but by nine Votes, so narrowly did the Trade of Great Britain, and all its Manufactures escape the most fatal Blow that ever was attempted to be given them.

Here was an End at once of all the wonderful Advantages that Great Britain was to reap from this celebrated Peace. But rejecting the Bill was not so trivial a Matter, and something must be done to give Satisfaction for this first Instance of Disloyalty.

The same Gentlemen, who upon this eminent Occasion, had been instrumental in serving their Country, must now make a healing Address, and atone by the loss of their Reputations for the good Services they had dared to do their Country, in rejecting the most Pernicious Bill that ever was brought into Parliament; these Gentlemen at the Opening of the Sessions, congratulated the Queen upon the Conclusion of the Peace, which they then knew nothing of, * they express now their Thankfulness for the Terms and Conditions of it, which they had just rejected as dangerous and pernicious to the Kingdom; but they say, So good a Foundation of Trade was laid, as might be farther improv'd to the Advantage of the Kingdom, which they desire may be perfected, and so explain'd, as fully to answer Her Majesty's good Intentions for the Good and Welfare of her People. What a Mockery is here and plain Contradiction to all common Sense? But how it was

* Address, June, 23, 1713.

was understood at Court is plain by the *QUEEN'S* Answer: † She thanks them for fully expressing their *Approbation of the Treaties of Peace and Commerce*, and promises them not to improve, perfect, or explain, but to secure to them the *Benefits and Advantages* which with great Difficulty had been obtain'd for her Subjects: And for this Gracious Answer, the House of Commons return their most humble Thanks; thereby confessing they did fully approve the *Treaty of Commerce*, which they had just rejected, and that all they desir'd was to have those same Advantages in Trade secur'd to them, which for want of Understanding they had so lately mistaken for great Mischief and unavoidable Destruction to all the Manufactures of Great Britain.

Such Recantations, as this, seems to be a little new in Parliament; and I was at a Loss to find any thing like it, till this Parliament furnish'd me with a Precedent: In the Committee of Ways and Means, a *Duty upon Leather* was mov'd, and press'd by the Court, but rejected as grievous to the People. This was represented in a very high Manner; but a little Discipline soon made amends, and the same Gentlemen who voted against a *Duty upon Leather*, ask'd Pardon, and oblig'd the Court with their Votes for a *Duty upon Hides and Skins tann'd, raw'd, or dress'd*.

From what I have last mentioned, I can't help here making one general Observation, this House of Commons, thought the Burthen of the Taxes intolerable, and the Nation in so deplorable a Condition, that almost any Peace was desirable; yet they rais'd and levy'd more Money upon the Subjects in two Years, in which nothing at all was done, than was rais'd in any two of the most glorious and successful Years of the War. Such Sums, if they had been apply'd to the vigorous Prosecution of the War, without such melancholy and reproachful Interruptions, as were in those Days seen, had indeed procur'd us a Safe, Lasting and Honourable Peace; but that Way of

pro-

† Queen's Answer to the last Address.

Proceeding was then thought, by those who pretend^d great Love for their Country, too great] a Blessing for these Nations to enjoy.

But to proceed ; Whilst the Commons were busy within Doors, the Pretender's Friends were very alert, both abroad and at home ; Pamphlets and Papers were every Day published in his Favour, a Medal was struck, and handed about, on the one Side was the Pretender's Effigy, with this Motto, *Cujus est*. On the Reverse, a Map of Great Britain and Ireland ; and on the Top, *Reddito*.

These Proceedings were taken notice of by the true Friends of the illustrious House of *Hanover* ; and as the Parliament was sitting, the Earl of *Wharton* made a Speech in the House of Peers, wherein he related, what was transacting among the People at home ; and withal he farther observed the great Honours paid the Pretender Abroad by the Duke of *Lorrain*, in whose Country he then resided. In the Conclusion of his Speech, he moved the House.

‘ That an Address be presented to the Queen, that
 ‘ she would be pleased to use her most pressing In-
 ‘ stances with the Duke of *Lorrain*, and with all the
 ‘ Princes and States in Amity and Correspondence
 ‘ with her Majesty, that they would not receive, or
 ‘ suffer to continue within any of their Dominions,
 ‘ the Pretender to the Imperial Crown of these
 ‘ Realms.’

Several Members appeared surprized at this unexpected Motion, which was undoubtedly designed to try the Inclinations and Affections of some Persons ; there was a Pause for a while ; at last the Lord *North and Gray* †, broke Silence, and endeavoured to have that Motion laid aside, by representing, ‘ That such
 ‘ an Address would shew a Distrust either of the
 ‘ Queen, or the Ministers. That her Majesty would
 ‘ be very much puzzled what to do, in Case the Prin-
 ‘ ces and the States in Amity with her, should be
 ‘ unwilling

† What the Lord *North and Gray* would have been at, his Actions, since that Time, has fully discover'd.

‘ unwilling to comply with her Instances, since it
 ‘ would not be in her Power to compel them; con-
 ‘ cluding with this Question, Where wou’d they
 ‘ have the Pretender Reside, since most, if not all
 ‘ the Powers in Europe, were in Amity with her Ma-
 ‘ jesty?’

To this a noble Earl was said to have answered;
 ‘ That since he begun his Studies in *Paris*, the fittest
 ‘ Place for him to improve himself was *Rome*.’ After
 some other warm Expressions, between the Earl of
 of *Wharton*, and the Lord Treasurer, it was unani-
 mously resolved, that such an Address should be pre-
 sented to her Majesty.

Accordingly, on the 2d of *July*, the House of
 Lords attended the Queen with their Address.

To which her Majesty was pleased to give the fol-
 lowing Answer.

My Lords,

‘ I take extreme kindly your Address, and the
 ‘ Thanks you give me for what I have done, for
 ‘ establishing the *Protestant* Succession.

‘ I shall repeat my Instances to have that Person
 ‘ removed, according as you desire in this Ad-
 ‘ dress.

‘ And I promise myself you will concur with me,
 ‘ that if we could cure our Animosities and Divisi-
 ‘ ons at home, it would be the most effectual Method
 ‘ to secure the *Protestant* Succession.’

The Lord Chancellor, the next Day, reported her
 Majesty’s Answer to the Address.

As soon as the Queen’s Answer was reported to the
 House, The Duke of *Buckingham*, (tho’ Lord Presi-
 dent,) was pleased to declare, ‘ That he never heard
 ‘ of any Instances that had yet been made to the Duke
 ‘ of *Lorrain*, for removing the Pretender out of his
 ‘ Dominions.’

‘ It was observed, That if either of the two princi-
 pal Ministers of State had been in the House, they
 might, in all Probability, have better explained her
 Majesty’s Answer.

It so fell out, when this Answer was reported, they were regaling themselves at Dinner with the Duke d'Aumont, Ambassador Extraordinary from his most Christian Majesty.

But however, the *Whigs* took the Hint from what the Duke of Buckingham had mentioned; the Earl of Sunderland got up, and moved the House for a second Address to the Queen, which was back'd by the Earl of Nottingham; and, notwithstanding some small Opposition, they carry'd their Point; whereupon 'It was Ordered, by the Lords Spiritual and Temporal, in Parliament assembled, that an humble Address be presented to her Majesty, to return the Thanks of this House to her Majesty, for her most gracious Answer to their Address, and for the Assurances her Majesty has been pleas'd to give us, of repeating her Instances for removing the Pretender; and to express our Surprize, that such Instances have not had their full Effect, notwithstanding the French King, and the King of Spain, have shew'd their Compliance to her Majesty's Desires on that Occasion; and to assure her Majesty, that this House will stand by her, and support her in whatever her Majesty shall judge proper for obtaining a Demand which is so warrantable by the Laws of Nations, and so necessary for the Honour and Safety of her Majesty, and for the present and future Peace and Quietness of the People.' It was also Order'd, that the said Address be presented to her Majesty by the Lords with White Staves, which was done accordingly; and on Monday the 6th of July, the Lord Steward acquainted the House, That the Lords with White Staves had presented to her Majesty the Address of this House of Friday last, and her Majesty was pleas'd to receive the same very graciously.

The Ministry was extremely uneasy at these Addresses, for Reasons that were then suspected, and since fully known.

The Dislike of the Ministry at these Addresses did by

by no Means, discourage the Friends of the House of Hanover, they proceeded farther.

On the 1st of July General Stanhope moved the House of Commons to the same Purpose as the Earl of Wharton had, the Day before, done in the House of Peers, and was seconded by Mr. Lechmere. The only Objection that was rais'd against it, was started by Sir William Whitlocke, who said; ' He remembred, that the like Address was formerly made to the Protector, for having Charles Stuart removed out of France, notwithstanding which, that Prince was, some Time after, restored to his Father's Throne.'

None of the Members thought proper to back Sir William; the General's Motion was made at a critical Juncture, when the Parliament was just expiring, and a new Election coming on; if the Pretender's Friends in the House had supported Sir William, it would have been too barefac'd; People then would have seen what they had been driving at; and, in all Probability, they might have lost their Elections.

That being the Case, not one oppos'd the Motion; and therefore it was resolv'd, *Nemine Contradicente*, That an humble Address be presented to her Majesty, acknowledging the great Care her Majesty has always taken, particularly in the late Treaties of Peace and Guaranty, to prevent the Pretender to her Throne being in a Condition to disturb these Realms; and to beseech her Majesty, That she will use the most speedy and pressing Instances with the Duke of Lorrain, and with all other Princes and States in Amity, or Correspondence with her Majesty, that they will not, under any Pretext whatsoever, receive, or suffer to continue within any of their Dominions, the Person who, in Defiance of her Majesty's most undoubted Title to the Crown, and the Settlement thereof, in the illustrious House of Hanover, has assum'd the Title of King of these Realms; and to assure her Majesty, that the Commons of Great Britain will on all Occasions, to the utmost of their Power, support her

' Majesty in such Steps as shall be necessary, towards rendering these Instances effectual.'

After this a Committee was appointed to draw up the said Address, which Mr. *Stanhope*, Chairman of the Committee, reported to the House on the 3d of July, and the same being unanimously approved of, was, five Days after, presented by the Speaker, with the whole House, to her Majesty.

To which Address her Majesty was pleased to make this Answer.

Gentlemen,

' I Thank you heartily for your Address, and I will give Directions according to your Desire.'

This Answer being reported to the House the next Day, by the Speaker, it was unanimously resolved, to return her Majesty the Thanks of the House for the same.

Notwithstanding these Addresses from the Parliament, the Duke of *Lorrain* continued to entertain the Pretender in his Dominions; in the mean Time the Pretender's Friends at Home also continued publicly to shew their Affection for him, they proceeded so far as to present two very extraordinary Addresses to the Queen; the first by Sir *Hugh Paterson*, Bart. from the Magistrates and Town Council of the Burg of *Inverness*, introduced by the Earl of *Marr* *; and which was afterwards inserted in the *London Gazette* of the 4th of July, wherein was this very remarkable Paragraph, viz.

' We, without Reserve, depend on your Majesty's Wisdom in securing our Religion, and the Succession to the Hereditary Crown of *Great-Britain*, in the Family of your Royal Progenitors; the most antient Line of Succession in the World; being as much convinced, that our Guarantee is intirely in your Hands, as your Serene Majesty does place yours in your People.'

The other Address was from the Town-Council and Inha-

* The Part which the Earl of *Marr* afterwards acted, is so particularly known, that I need not mention it.

Inhabitants of the Burgh of Nairn, which has this Passage in it, viz.

' We know not with what Modesty we can presume to Address your Majesty in the Matter of the Succession, lest we should seem to call in Question your Majesty's unquestionable Prudence, or the Faithfulness of your Majesty's Council; and therefore we sincerely Declare, that our utmost Wishes reach no farther, than that our Posterity may reap the Effects of your Majesty's wise Choice, while we think ourselves Happy under your Majesty's Administration, all our Days.'

These Addresses speak so plain in the Pretender's Cause, that they need no Comment. Time has since fully convinced us, what was designed by those who drew and presented these Addresses; though, blessed be God, they have been disappointed.

On the other Hand, it's to be observed, that Addresses of a different Nature were at the same Time presented to the Queen from other Parts, particularly from *Glasgow*, wherein they intirely Declare in favour of the *Hanover* Succession.

So likewise as Verses and Papers were, every Day, handed about in the Pretender's Favour, the true Friends of the House of *Hanover* did not forget to Answer them; among others, the following Lines were published, tho' not very poetical, yet they were by no Means pleasing to some great Men in Power.

To the High and Mighty Prince

G E O R G E L E W I S.

By the Grace of God, Duke of *Brunswick-Lunenburgh*, Electoral Prince of *Hanover*, Standard-Bearer and Arch-Treasurer of the *Roman Empire*,
Heir apparent to the Crown of *Great Britain*.

*I mean the Prince, the Scourge of the French Power,
Who, if the Rebels bring the Bastard o're,
Will Britain save, as Nassau did before.*

HAIL

HAIL, mighty Prince, in whose glorious Veins
 The Blood of Emperors, Kings, and Heroes, reigns;
 When that Great Anna do's the Throne demise,
 Shall Rome's Knight Errant carry off the Prize?
 No, Sir, he shan't; the Fates can never do
 That Wrong to us, if they are just to you.
 Our Stars do surely better Things portend,
 You are our St. George, our Champion, and our }
 Britania from Slavery to defend; [Friend, }
 As Orange once did free the Captive Maid,
 When by French Managers to Rome betray'd;
 So he foresaw she might be trick'd again,
 And chose Great Hanover to break the Chain.
 Then if Tories to their Lewis Homage do, }
 We have a greater George, and Lewis too; }
 And when you come o'er, they soon will find it true; }
 For, your Horse, and Lyons, in the Royal Arms dis- }
 play'd, }
 Will strike Terror in your Foes, French Lilles fade, }
 And Great Britain then will bloom without a Shade. }

It's now Time to attend the Breaking up and Conclusion of this never to be forgotten Parliament:

On the 10th of July, the Queen came to the House of Peers; the Commons being sent for, her Majesty gave the Royal Assent to several publick and private Bills, and then made a Speech to both Houses; but there was not one Word of the *Hanover Succession* mentioned in it.

The Lord Chancellor, by the Queen's Command, prorogued the Parliament to the 23d of August then next, with that Act ended the third and last Session of this remarkable Parliament.

Let us now just look back, and take a short View of the Methods this Parliament took in order to ingratiate and recommend themselves to the People: It was under Pretence of endeavouring to detect
 great

great Frauds, Abuses, and Misapplications of the Publick Money, during the late Administration. Their Discoveries are all summed up in a general Representation to the Queen, which Mr. *Walpole* fully proved consisted either of Falsities, or Mistakes, or Misrepresentations; and that, wherever the Fact was true, the same had been done by the then present Ministry, and either justified, or not animadverted upon by the Parliament.

The Clamour and Noise about the Misapplications of the Publick Money was, among other Purposes, to come at a Censure of the late Lord Treasurer, *Godolphin*, whom I have not before mentioned by Name, in respect to the Parliaments Proceeding against him; the *House of Commons* voted him * guilty, of a notorious Breach of Trust and high Injustice to the Nation, for not compelling the respective Accomptants to pass their Accounts. It's to be observed, if he was guilty, it must be by sending Orders or Warrants to the Deputy Remembrancer of the *Exchequer*, to stay Process; this the *House of Commons* was sensible of; and therefore, to have the Whole Matter before them, on the 26th of *April*, 1711, they ordered the Deputy Remembrancer, to lay before the *House*, on the 1st of *May*, what Orders he had received for staying or issuing Process against the Accomptants. The Deputy Remembrancer presented the said Orders and Warrants accordingly, at the Time appointed; but our worthy Patriots, Impatient of Delay, on *Saturday*, the 28th of *April*, resumed the Consideration of this Affair, and proceeded to Judge and Censure, before the only Evidence that could set this Matter in a clear Light was before them, which they themselves had called for, and which proved a full Justification of the Person whom they thought it necessary first to hang, and then to try.

Before I leave this Subject, I shall here only say one Word, concerning the Commissioners of Accounts. The

* April the 28, 1710.

The World has since been sufficiently convinced that they were of no Use but to sully the Characters of those who were out of Power, and to conceal the Iniquities of those that were in; but in all the Censures passed in this Parliament, it has so happened that the Persons censured may reckon them so many Honours done them.

It must be confessed that this *House of Commons* was a Set of very dutiful and loyal Gentlemen, who, out of Principle, went as far in complying with all the Demands of a Ministry, as any that ever went before them; and as our present noble Patriots make such a Noise about Place-men, I would just observe to them, that what their Friends did in this Parliament, was not all out of pure Loyalty; a little Regard to themselves, and a small Spice of Interest must be allowed to have had some Share in influencing and procuring their submissive Behaviour and Zeal for the Prerogative.

Indeed, those that employed them did not consult their Honours, when they so open and bare-faced, at the End of each Session, rewarded them for their good and faithful Services. He that will look upon the Votes of the last Day of the first and second Session, will find almost nothing done but new Writs ordered in the Room of Parliament Men who had received their Wages for their past Services; for, to sum up all, in respect to the Proceedings of this Parliament, the Freeholders of *England* may pretty well judge, from what has past, what they are to expect, should they hereafter elect Gentlemen of the same Principles as the Majority were of, that sat in this memorable House of Commons, and that the Freeholders and Trading Part of the Nation may see who have been the best Friends to *Liberty* and the *Trade* of the Nation, I shall speedily publish Lists of those who voted for, and against the one and the other, from the Time of the happy Revolution to that of the Accession of his late Majesty King *George* the First to the Throne of these Kingdoms.

The Printing the List of those who voted for and
against

against the *French* Bill of Commerce, was look'd upon in the latter Part of the *Queen's* Reign as a very great Crime; Mr. *Baker* the Bookseller was taken up by three Messengers, and a Constable, for Publishing a Letter from a Member of the *House of Commons* to a Friend in the Country, relating to the Bill of Commerce, wherein was inserted an exact List of those who voted for and against that Bill; Mr. *Baker* got off by producing the Author, who proved to be a *Tory*.

Abel Roper, Author of the *Post-Boy*, was so angry at the Printing of this Letter, and List, that he bestowed Part of his Paper in abusing his Brother *Tory*; in the Conclusion, *Abel* disowned him, declared him to be a virulent *Whig*, and a Wolf in Sheep's Cloathing, and withal advertised the honest Part of his Readers to beware of Counterfeits; for, such, he said, were Abroad.

I have now gone through what I proposed, as to the refreshing the Memories of those who seem to have forgot Part of the Transactions of the four last Years of the late *Queen's* Reign; and therefore I shall conclude this Tract in just mentioning a Word in Relation to Mr. *Walpole*, (now the Right Honourable Sr. *Robert Walpole*, Knight of the most noble Order of the Garter, &c.) He has ever since the Dissolving the Censuring Parliament, been elected one of the Representatives for the Borough of *Lynn Regis*, (who stood by him in the worst of Times;) and hath also enjoyed the highest Places of Trust with a Reputation equal to the Offices he has sustained: And I make no Doubt but some able Pen will, in future Time, transmit an Account of his Noble and disinterested Actions with Impartiality to Posterity, and then it will be seen when the Passions and Heats of Parties are over, that he has been unjustly villified by a certain Set of Men, and was worthy of the Honour conferred on him by two GREAT PRINCES in placing him at the Head of the Administration.

ADVERTISEMENT.

Before the Meeting of the Parliament will be Re-
publish'd,

A Collection of Lists, with Additions, Intituled; White and Black; Or a View of those Gentlemen who have given their Votes in Parliament, for and against The Protestant Religion and Succession, and the Trade and Liberty of their Country, ever since the Revolution, to the happy Accession of his late Majesty King George the First, viz.

1. A List of the Members that voted against making the Prince and Princess of Orange, King and Queen.
2. A List of those who refused the Voluntary Association.
3. A List of the Poufioneers.
4. A List of those who voted for the Hanover Succession.
5. A List of those who voted against the Hanover Succession.
6. A List of the Tackers.
7. A List of those who voted against Tacking.
8. A List of those who voted for the Naturalization Bill.
9. A List of those who voted for Dr. Sacheverel.
10. A List of those who voted against the Doctor.
11. A List of those who voted for the famous French Commerce Bill.
12. A List of those who voted against that pernicious Bill, both Lists properly distinguished.
13. A List of those who voted against the Expulsion of Mr. Steele.
14. A List of those who made Speeches for and against the Schism Bill.

The whole offered to the Consideration of the Electors of Great Britain.

N. B. If any Gentlemen have any Lists by them, and not here mentioned, of any famous Proceedings, during the Reigns of King William, Queen Mary, and Queen Anne, and will transmit them to the Publisher of this Pamphlet, they shall be carefully inserted in proper Order.